

Maggie Exum, Shamrock.
 Morus B. Howard, Sweetwater.
 Lillian Procter, Teague.
 Walter M. Hudson, Weatherford.
 Emanuel T. Teller, Westhoff.
 Peter J. Sherman, Whitney.
 Leeander M. Gilbreath, Winnsboro.
 Tom Hargrove, Woodsboro.
 William B. Lee, Wortham.

UTAH

Lionel L. Peterson, Fairview.
 John W. Guild, Kamas.

VIRGINIA

Harry Fulwiler, Buchanan.
 Robert B. Rouzie, Tappahannock.
 Bruce L. Showalter, Weyers Cave.

WASHINGTON

Willis Swank, Cheney.
 Franz S. Drummond, Gig Harbor.
 Ralph L. Philbrick, Hoquiam.
 Christopher C. Van Leuven, Molson.
 Noel D. Tower, Morton.
 Michael J. Murphy, Oakville.
 Gustav A. Weber, Odessa.
 Joseph E. McManamon, Othello.
 Walter Sommers, Prosser.
 William Busch, Raymond.
 Thomas Harries, Renton.
 Golda R. Moore, Roy.
 Juanita Morris, St. John.
 David M. Donnelly, Sedro Woolley.
 William I. Leech, Steilacoom.
 Wilson Howe, Tenino.
 Arthur B. Foley, Wilbur.

WEST VIRGINIA

Harry E. Engle, Fairmont.
 Rosa H. Brown, Institute.
 Charles T. Kelly, Terra Alta.
 B. Hampton Gray, Welch.

WISCONSIN

Edward W. Guth, Adell.
 Lester B. West, Barron.
 Royal C. Taylor, Boyceville.
 Dell L. Amerpohl, Brodhead.
 Benjamin F. Querhammer, Cazenovia.
 Lewis T. Larson, Danbury.
 Clarence L. Jordalen, Deerfield.
 Charles H. Prouty, Genoa City.
 Alexander C. Magnus, Glen Flora.
 Charles P. Peterson, Glenwood City.
 Kate C. Conrad, Hammond.
 Clem G. Walter, Kendall.
 Mamie B. Johnson, Kennan.
 John P. Fitzgerald, Mellen.
 Amund J. Amundson, New Auburn.
 Verner A. Nelson, Ogema.
 David E. Lamon, Three Lakes.
 Christian R. Mau, West Salem.

REJECTION

Executive nomination rejected by the Senate March 18 (legislative day of Monday, January 6), 1930

POSTMASTER

Foster P. Lee to be postmaster at Lamar, S. C.

HOUSE OF REPRESENTATIVES

TUESDAY, March 18, 1930

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Thou hast not hidden Thy face from us, O Lord. Again this day is our day. What shall our part be? May our contribution to it be direct, wise, and unselfish, for we know by experience that any other course leads toward weakness and failure. With willing minds and generous hearts send us forth to do our duty. Merciful God, increase the power of our faith, that we may maintain a supreme allegiance to Thee as our guide. Do Thou enable us to exemplify that faith in all our daily opportunities.

Whatever sacrifices it may involve or losses it may incur, O bless us with personal satisfaction and with that peace which let the world go by. In the name of Jesus. Amen.

The Journal of the proceedings of yesterday was read and approved.

PERMISSION TO ADDRESS THE HOUSE

Mr. HAWLEY. Mr. Speaker, I ask unanimous consent on Thursday, March 20, after the remarks by the gentleman from Louisiana [Mr. MONTER], that I be permitted to address the House for 30 minutes on the subject of the United States Steel Corporation tax refund for the years 1918, 1919, and 1920.

The SPEAKER. The gentleman from Oregon [Mr. HAWLEY] asks unanimous consent, at the conclusion of the address of the gentleman from Louisiana [Mr. MONTER], that he be permitted to address the House for 30 minutes. Is there objection?

Mr. RAYBURN. Reserving the right to object—which, of course, I do not intend to do—I call the attention of the majority members of the Committee on Interstate and Foreign Commerce to the fact that we have a very important bill pending here. To-day we have special orders which will consume about two hours and a half. Thursday, when we will be able to go on with this bill again, we will have about two hours and a half of special orders, and if we are to reach a final vote in consideration of the bus bill it would appear that somebody should look after the time of the committee.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. GARNER. Mr. Speaker, in view of the fact that I brought on this controversy, I would like to ask unanimous consent that I be permitted to address the House for one-half the time requested by the gentleman from Oregon.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GARNER. May I take this occasion, Mr. Speaker, to request the chairman of the Committee on Ways and Means [Mr. HAWLEY] to produce the minutes of the joint committee meeting settling the matter when we considered this joint return? I would like to have them in the Chamber to-day if possible.

The SPEAKER. The Chair observes that the gentleman from Texas [Mr. GARNER] already has 30 minutes to address the House.

Mr. GARNER. I intended to speak on another subject, however. The Chair will recall I had already received permission to address the House on that day.

The SPEAKER. Is there objection to the gentleman from Texas [Mr. GARNER] making two speeches on that day? [Laughter.]

There was no objection.

OUR PUBLIC SCHOOLS

Mr. SANDERS of Texas. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a speech which I made over the radio with respect to our public schools.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SANDERS of Texas. Mr. Speaker, under the permission given by the House, I insert the following speech, which was delivered by me over the radio on the 17th instant:

Ladies and gentlemen, I am to speak to you on the Robison-Capper school bill, so called because it was introduced in the House of Representatives by Congressman ROBISON of Kentucky and in the Senate by Senator CAPPER, of Kansas. My subject suggests to me two statements, one from Jesus, the other from King Solomon: "Ye shall know the truth and the truth shall make you free"; "Where there is no vision, the people perish." Some proposed legislative matters move slowly. The educational bill is one of them. It might be interesting to you to know something about the history of this proposed legislation.

A bill of this character, but not the same bill, was introduced in the Senate on October 10, 1918, by Senator HOKE SMITH, of Georgia, and was numbered S. 4987. On January 28, 1919, Congressman HORACE TOWNER, of Iowa, introduced the same bill in the House, and was numbered H. R. 14238. On December 5, 1918, the Senate Committee on Education and Labor held hearings on the Smith bill. After Congressman Towner introduced the bill in the House it was widely known as the Smith-Towner bill, deriving its name, of course, from its authors. In July, 1919, joint hearings were held on these two bills by the Committee on Education and Labor on the part of the Senate and the Committee on Education of the House. Later this bill was revised and introduced in the Senate by Senator THOMAS STERLING, of South Dakota, and was numbered S. 1252. The same bill was introduced in

the House by Congressman Horace Towner on April 11, 1921, and was numbered H. R. 7. This bill was known as the Sterling-Towner bill and hearings were held on it in May, 1921. Practically the same bill was introduced in the House on December 17, 1923, by Congressman REED of New York and was numbered H. R. 3923. A companion bill was introduced at the same session of Congress in the Senate by Senator Sterling, numbered S. 1337. In January, 1924, the Senate Committee on Education and Labor held hearings on this bill and the House Committee on Education also held hearings on it during the same month. The Robson-Capper bill, which I am discussing, was introduced at the present session of Congress by the gentlemen mentioned. Hearings have not been held on this bill at the present session of Congress nor is it necessary. The committees considering the bills have the power to report the bills based on past hearings. However, that is a matter for the committees to determine. The great multitude of people who are for this legislation are wondering why some action of some kind is not taken, and some of them do not know where to fix the responsibility.

The responsibility is clearly with the administration. The President of the United States is a Republican, and that party has a majority of about 100 in the House and about 15 in the Senate, and it has a majority on the Committee of Education and Labor in the Senate and of the Committee on Education of the House. They have the power, and clearly the responsibility is theirs. If they act, they should be given due credit. If they refuse to act, they can not escape the blame. The leaders can put this legislation on their program to carry through at this session of Congress, or they can leave it off their program. I predict the latter course. This bill provides in part:

"That there is established at the seat of government an executive department, to be known as the department of public education, to aid and encourage the public schools and promote the public educational facilities of the Nation, so that all of the people of the several States and Territories without regard to race, creed, or color shall have larger educational opportunities and thereby abolish illiteracy, make more general the diffusion of knowledge, and provide for the general welfare, but without impairment of or the infringement upon the laws, the rights, duties, authority, or responsibilities of the several States, Territories, and the citizens thereof with respect not only to the public educational agencies and institutions, but likewise as to the private educational institutions and agencies in the several States and Territories."

This bill is opposed by some because they say it is an interference with State rights. The part of the bill which I have just quoted clearly dispels that contention. I believe in State rights and I would not support any measure of this kind that I thought would deprive the several States and Territories of educational control. It is needless to argue this question, because the bill itself is so plain on that point that the wayfaring man is amply cared for.

Then, again, it is contended by some who are opposed to the bill that this is a function that does not belong to the Federal Government. If the Federal Government has no legitimate rights to participate in educational matters not in conflict with the rights of the States, then Congress ought to be consistent and repeal several laws now on the statute books. In support of this, I call your attention to the fact that the Continental Congress in 1785 passed a land grant act, which said act provided that lot 16 in every township of the Northwest Territory be set aside for the maintenance of public schools. The preamble to the ordinance of 1787 contains the following declaration:

"Religion, morality, and knowledge being ever necessary to good government and the happiness of mankind, schools and the means of education shall be forever encouraged."

Congress provided, soon after the adoption of the Federal Constitution in 1789, that each new State admitted into the Union should set aside a portion of its land for school purposes. In 1862, under the first Morrill Act, land-grant colleges were established from the proceeds of the sale of public lands. In 1867 Congress passed an act creating a department of education, but in 1869 it was reduced to a bureau, and education was never represented by one in the President's Cabinet. I will speak about this bureau later on.

In 1887 annual appropriations for the land-grant colleges were increased under the Hatch Act. In 1890, \$50,000 was appropriated annually to each State and Territory for further maintenance of the land-grant colleges under the second Morrill Act. Further additional maintenance for these institutions was provided by the Adams Act in 1906.

Appropriations for the land-grant colleges were increased by the Nelson amendment to the Morrill Act. The Smith-Lever Act of 1914 provided \$4,500,000 annually for cooperative agricultural extension work. The Smith-Hughes Act of 1917 created the Federal Board for Vocational Education. The activities of this board is in conjunction with like activities of the various States on a 50-50 basis. The Bureau of Education, which I mentioned as having come into existence in 1869, is still with us and is housed in the Department of the Interior. Secretary of the Interior Wilbur has changed the name from "bureau" to "office." I am sure that this simple change of name will result in great good to the school at Podunk. Now, since 1869 we

have had a Bureau of Education. If the Federal Government has no right or authority to act in educational matters, when the rights of the State are not interfered with, then we have no right to maintain a Bureau of Education. The witnesses who testified before the committees against this legislation, where they expressed themselves on the subject, were strong for the bureau but against educational representation in the President's Cabinet. If the Federal Government has a right to exert any activities along educational lines, it certainly ought to do its best because of the very great importance of education. Is the Bureau of Education sufficient to meet the requirements of this day and age? Let's call in the witnesses. Dr. Uel W. Lamkin, president Northwest Missouri Teachers' College, Maryville, Mo., testified: "Speaking from the standpoint of one who has been connected with the Government, I believe that this bill is sound because it will promote economy and efficiency in the organization and administration of the department of this Government."

"I think that Doctor Keith has better stated than I can state the reasons why the grouping of these several agencies into one separate, independent executive department would add to their efficiency. It is not a new department for the Government; it is merely the taking of these several agencies from other departments and putting them in a department which represents—we may consider it from the standpoint of money, capacity, annual expenditures, number of people affected, or general results to the Nation as a whole—this department which would represent directly the biggest industry of America—the education of her children. May I ask you to consider the duplication of effort in 40 departments and 40 bureaus, 40 sections, 40 divisions, which have to do with education. There can not help but be duplication of effort and waste of public money in gathering and tabulating statistics and in the employment of clerks to do so. I want to get into the record this statement; that from both the standpoint of a former superintendent of public schools, from the standpoint of a former employee of the Federal Government in charge of a board or in charge of a bureau, rather; from the standpoint of the president of a teachers' college in Missouri; from the standpoint of an American citizen, I want to say that no bureau can have the force and effect in furthering any public policy that a Cabinet officer can have or that a separate department can have."

The duplication of work and waste of money, under the present system, as mentioned by Doctor Lamkin, can not be successfully refuted.

In 1921 the Commissioner of Education, in his report, stated:

"I am of the opinion that the department [of the Interior] should seriously consider the question as to the advisability of continuing the Bureau of Education on the present basis of wholly inadequate support. The need for a national governmental agency to perform the functions expected of this bureau is imperative and unquestioned. The efforts to meet the need, however, are largely nullified by the legislative restrictions and financial limitations by which the bureau is at present handicapped. In my judgment it would be better for the Federal Government to withdraw from this field of activity entirely unless provision is to be made for it on a more liberal basis, and the policy definitely adopted of attempting to render in an effective and authoritative way the kinds of constructive service which the people and the educators themselves demand. It is futile to continue this organization on the present penurious basis and to expect returns that will justify the outlay."

In his report in 1925, he stated:

"Those responsible for school administration in the United States are in great need of assistance in certain important fields. At the present time adequate provision is direly needed for study in the fields of curriculum, organization, school finance, buildings and construction, teacher training, and secondary education."

For almost eight years Dr. J. L. McBrien was in the Bureau of Education, and in his testimony before the committee at the hearings testified as to duplication in the service as it is now, and also to waste and extravagance. Doctor McBrien is in position to know what he is talking about and that under the present system we have duplication and waste of money, time, and effort has not been denied by any witness.

Dr. S. P. Capen, chancellor of the University of Buffalo, N. Y., testified before the committee, and because of his intimate knowledge, I quote from his testimony:

"I was myself a Government servant for five years and a little more, a member of the Bureau of Education; and at the latter end of that service I was appointed by the Secretary of the Interior to represent the department in an effort to find out what duplications there were in the various portions of the different Government bureaus and departments in this particular field. Unfortunately, I resigned before the investigation was completed; but at that time there were some 40 officers of the Government functioning one way or another in the educational field, nearly every one of them dealing in some fashion with the educational machinery of the States; and the amount of confusion that is introduced into the operations of the school systems and the other educational agencies by this system of requests from Washington is something that one does not appreciate until he lives in it. It is also patent that these several divisions of the Government that deal with education have no relation whatsoever with one another and are, for the most part, each ignorant of the other's business. We want to

see that enterprise brought together so that what the Government does in education will at least represent a unified point of view and a unified policy."

This witness testified to the inadequacy of the Bureau of Education, and that we are forced to depend upon educational foundations for research and investigation on the major problems, and that education is one of the greatest activities of the Nation, comparable with agriculture, labor, and commerce. This witness further testified: "The reason a bureau chief does not answer the purpose is in the matter of international relations. * * * Since the leading nations of the world have secretaries of education, the United States should also have a secretary of education for international relations."

In this connection I call attention to the fact that 72 nations have representation among the cabinet officers, and I now give the names of those nations as shown by the Statesman's Yearbook for 1929:

NATIONS ACCORDING EDUCATION PRIMARY RECOGNITION BY INCLUDING A MINISTER OF EDUCATION AMONG THE CABINET OFFICERS

British Empire: Great Britain, president of the board of education; Northern Ireland, minister of education; the Irish Free State, minister for education; Malta, minister for public instruction; India and dependencies, education, health, and land; Union of South Africa, minister of the interior; Bombay Presidency, minister of education; Federated Malay States, director of education; New South Wales, minister for education; Victoria, minister of public instruction; Queensland, secretary for public instruction; South Australia, commissioner of public works and education; Western Australia, chief secretary and minister for education; Tasmania, attorney general and minister of education; New Zealand, minister of education, Canada; Alberta, minister of education; British Columbia, minister of education; Manitoba, minister of education; Ontario, minister of education; Saskatchewan, premier, president of council, minister of education.

Afghanistan, minister of education.
Austria, minister of education.
Argentina, minister of public instruction.
Belgium, minister of education.
Bolivia, minister of education and agriculture.
Brazil, secretary of justice, interior, and public instruction.
Bulgaria, minister of education.
China, minister of education.
Cuba, secretary of public instruction.
Chile, minister of public instruction.
Costa Rica, secretary of education.
Colombia, minister of public instruction.
Czechoslovakia, minister of education.
Denmark, minister of public instruction.
Dominican Republic, minister of justice and public instruction.
Egypt, minister of education.
Finland, minister of education.
France, minister of public instruction and of fine arts.
Guatemala, minister of public instruction.

Germany: Baden, minister of religion and education; Bavaria, minister of education; Hesse, minister of education; Prussia, minister of education.

Greece, minister of education.
Hungary, minister of public instruction.
Honduras, minister of instruction.
Italy, minister of public instruction.
Japan, minister of education.
Latvia, minister of education.
Mesopotamia, minister of education.
Morocco, grand vizier's delegate for public instruction.
Netherlands, minister of instruction, science, and arts.
Norway, minister for education and ecclesiastical affairs.
Nicaragua, minister of instruction.
Paraguay, minister of worship and public instruction.
Peru, minister of worship and instruction.
Persia, minister of education.
Poland, minister of education.
Portugal, minister of instruction.
Russia, minister of education.
Rumania, minister of education.
Serb, Croat, and Slovene State, minister of education.
Salvador, minister of foreign relation, justice, and instruction.
Siam, minister of education.
Spain, minister of public instruction.
Sweden, minister of education and ecclesiastical affairs.
Turkey, minister of education.
Uruguay, minister of industry and education.

Harold W. Foght, president Northern Normal Industrial School, Aberdeen, S. Dak., served in the Bureau of Education under Doctor Claxton, and made this statement before the committee:

"The health of the American farmer is not what it ought to be. It could be improved greatly through intelligent teaching in hygiene and the like in schools. In other words, then, the American rural school is behind the city school of America to-day. I did not realize this some

years ago as I do now. I have spent 35 years in rural education in one form or another. I began as a rural teacher, went into a State college, helped to train the teachers there, was called to the Bureau of Education as one of the specialists in rural education. One of the first things done to me was to send me abroad to make a study of other great enlightened countries on the Continent of Europe. I made a special study of the rural schools of Denmark, and I know why it is that Denmark, a disrupted and bankrupt nation after its war against Prussia and Austria in 1864, can to-day truly boast of being the most scientifically organized agricultural nation on the face of the earth. It came about through reorganization. The school men, the philosophers, the preachers, and others got together and they said: 'We must reorganize the schools in such a way that every man, woman, and child may get the right kind of education,' and it was so in a generation and a half. We have not done the same in the United States. I have directed surveys, or taken part in surveys, in 13 American States. I just returned from Japan a short time ago, where I was honored by being permitted to lead or direct a survey of the rural and agricultural schools of the Empire; and I say to you gentlemen the rural schools of Japan, an old nation which has had what we would call a westernized educational system for only 53 years, has a better and more complete system of rural schools than we have; and so it is with certain others; and why is it?"

To those who are bothered about "standardization" I wish to call especial attention to the sound argument made before the committee by Hon. S. M. N. Marrs, State superintendent of public instruction of my own State, Texas. He said:

"And I want to call your attention also to this fact, gentlemen, which I believe has not been mentioned by any person I have heard discuss this question, either for or against this measure. The nations of the world, whether justly or unjustly, look upon the American people as believing in the dollar. They look upon us as a commercial people. Let us examine the organization of our Government and see whether or not this Nation has given recognition to the spiritual and the cultural. I wonder if we would not have to admit that material interest in every act of the Government has been placed above the spiritual and the cultural interest. We have a Secretary of Agriculture, and I believe in that department. It is promotional, but the Secretary of Agriculture has never attempted to standardize the method of raising cotton in the South; he has never undertaken to standardize the method of raising wheat in the West; but through that great department information has been disseminated in the agricultural sections and the localities have been stimulated until the country is more prosperous on account of the workings of that department. And so may I say of commerce and labor. What is the department of the Government recognized by the world as standing for the cultural and the spiritual among our people? * * * It would produce a psychological effect upon the Nation to dignify the subject of education in this manner."

I wish also to call attention to one statement made by Hon. John W. Cowles, grand commander of the Supreme Council of Scottish Rite of Freemasonry: "The claim is made by prophecy that the resultant end will be federalizing education and interference with State rights." We have other departments with Cabinet chiefs—for instance, Commerce and Agriculture. One State raises hogs, another cattle, and another sheep. One State is best adapted to cotton, another to wheat, and another to corn or tobacco. The chief industry of one State may be mining, of another manufacturing, of another commerce; but all the States should be equally interested in the right education of the future voters and rulers of the country.

This legislation is favored and indorsed by the following organizations: National Education Association, with 200,000 members. National Congress of Parents and Teachers, with 1,134,714 members. Forty-four State organizations, one district organization, one territorial organization, of the National League of Women Voters.

The International Council of Religious Education. National Woman's Christian Temperance Union, with 600,000 members. National Federation of Business and Professional Women's Clubs, with 55,000 members. National Women's Trade-Union League. American Library Association, with 10,056 members. Federal Council of the Churches of Christ in America. American Home Economics Association, with 9,000 members. American Nurses' Association, with 75,000 members. Service Star Legion (Inc.). Women's Homeopathic Medical Fraternity. Woman's Missionary Council, Methodist Episcopal Church, South, with 350,000 members.

Educational Press Association of America, with 55 members. National Council, Junior Order of United American Mechanics, with 342,000 members. Osteopathic Women's National Association, with 1,000 members. American Hellenic Educational Progressive Association, with 17,000 members. National Kindergarten Association, with 3,000 members. Woman's Relief Corps, with 222,000 members. American Vocational Association, with 3,000 members. National Federation of Music Clubs.

National Board of the Young Women's Christian Association, with 600,000 members.

General Grand Chapter, Order of the Eastern Star, with 2,000,000 members.

National Council of Jewish Women.

Supreme Council, Scottish Rite of Freemasonry, southern jurisdiction, with 300,000 members.

American Association of University Women, with 33,513 members.

General Federation of Women's Clubs, with over 2,000,000 members.

National Committee for a Department of Education, with 100 members.

American Federation of Labor, with 3,321,526 members.

American Federation of Teachers, with 10,000 members.

These organizations represent a total of near 29,000,000 people who are in favor of a department of education.

Education is one of our greatest problems; it is essential to the life of a republic. Universal suffrage without universal education is but a reef of rocks in front of the ship of state. No community, county, state, or nation can be great unless its individual citizenship is great in thought, pure in concept, and righteous in living.

Thomas Jefferson said: "Those who expect to remain free and ignorant in a state of civilization expect that which has never happened and never will happen."

"Education is the chief defense of nations," declared Edmund Burke.

"In proportion as the structure of government gives force to public opinion, it is essential that public opinion be enlightened." (George Washington.)

"Self-government can succeed only through an instructed electorate. The more complex the problems of the Nation become the greater is the need for more and more advanced instruction." (Herbert Hoover.)

In 1923 President Coolidge said: "I do not favor the making of appropriations from the National Treasury to be expended directly on local education, but I do consider it a fundamental requirement of national activity, which unaccompanied by allied subjects of welfare is worthy of a separate department and a place in the Cabinet."

I come from a State which has always ardently believed in education. Texans are the only people in the history of the world who solemnly declared in their declaration of independence that the failure of the government to provide for the education of the children was a ground for revolution. With marvelous wisdom, born of trained minds, they declared it to be an axiom that unless a people are educated and enlightened it is idle to expect the continuance of liberty or the capacity for self-government, and they concluded their declaration by stating "that being conscious of the rectitude of their own intentions they fearlessly committed the issues to the Supreme Arbiter of the destiny of nations." The people of Texas in 1836 boldly made their demand for popular education in the face of an invading foe which was vastly superior in numbers to her own citizenship and sent forth her statesmen from her counsel chambers to enforce that demand on the field of battle. President Lamar in his first message to the Texas Republic said:

"If we desire to establish a republican form of government on a broad and enduring basis, it will become necessary for us to provide a system of education. A cultivated mind is the guardian genius of democracy, and when guided and controlled by reason is the noblest attribute of man. It is the only dictator that freemen acknowledge and the only security that freemen desire."

According to the census of 1920, out of 82,739,315 persons 10 years of age and over 4,931,905 were illiterate. It has been estimated that the annual economic loss in the United States due to illiteracy is \$825,000,000. The appalling sum of \$3,000,045,000 has been estimated as the loss resulting from preventable disease and death. The five States ranking highest in education show an average of \$695 per capita in savings, while the five lowest average only \$89. The cost of ignorance outweighs the cost of education.

"Our Government is a stake of such inestimable value as to demand our constant and watchful attention for its preservation." (James Buchanan.)

"The public happiness is the true object of legislation and can be secured by the masses of mankind, themselves awakened to a knowledge and care of their own interests." (Bancroft.)

"The information of the people at large alone can make them safe, as they are the sole depository of our religious and political freedom." (Thomas Jefferson.)

"Patriotism consists of some very practical things. It is patriotic to learn what the facts of our national life are and to face them with candor." (Woodrow Wilson.)

"To preserve, to inform, and to perpetuate the sources, and direct in their most effective channels the streams which contribute to the public weal is the purpose for which government was instituted." (John Quincy Adams.)

The Democratic platform of 1928 stated:

"We believe, with Jefferson and other founders of the Republic, that ignorance is the enemy of freedom; and that each State, being responsible for the intellectual and moral qualifications of its citizens and for the expenditure of the moneys collected by taxation for the support of its schools, shall use its sovereign right in all matters pertaining to education. The Federal Government should offer to the States such counsel,

advice, results of research, and aid as may be available through the Federal agencies for the general improvement of our schools, in view of our national needs."

On this vital and important issue the Republican platform of 1928 is as silent as the grave. But in 1924 the Republicans said in their platform:

"The welfare activities of the Government connected with the various departments are already numerous and important, but lack the coordination which is essential to effective action. To meet these needs we approve the recommendation for the creation of a Cabinet post of education and relief."

The fact that the Republicans, advocating a Cabinet post of education in 1924, abandoned it in 1928, in their platform, shows that they do not intend to permit this proposed legislation to come to a vote in this Congress.

Federal encouragement of education was strongly emphasized by Washington, Madison, Jefferson, Adams, and Monroe. In fact, Jefferson considered the establishment of a department of education during his administration. Among other things, he said:

"I do most anxiously wish to see education given to all so that they may read and understand what is going on in the world and keep their part of it going on right."

This bill proposes to take the chief educational activities of the Federal Government as they are now and consolidate them into one administrative unit. It does not create another office nor a single educational activity for the Government. And in doing this it will be more economical, because it will dispense with duplication. It not only means economy but increased efficiency. This proposed legislation is the result of thought and deliberation of men and women who have the interest of the country at heart and who, in public and in private life, stand for the highest ideals—men and women who have made a careful study of the needs of education in the United States with a view of just what cooperation might be properly used by the Federal Government, without duplication of work, which means waste of money, as we have it now. It does not permit any interference with the complete autonomy of the States in the administration and control of their schools; and not a witness before the committee, testifying for the bill, failed to state that he was against Federal control, if the question was asked him.

It simply provides for a more efficient participation of the Federal Government by coordinating its present educational activities and extending the scope of its scientific research and investigations. The importance of public education merits and the advancement of education justifies this bill. The Departments of Agriculture, of Commerce, and of Labor are promotional under the general welfare of the Constitution, and a department of education would be in the same class. The Secretary of Agriculture does not dictate to the farmer how he shall farm or what and how much he shall plant. The Departments of Commerce and Labor conduct investigations and their activities contribute to the general welfare of the people, as also the Department of Agriculture. If the Department of Agriculture, which I am strongly for, assists the people in raising better hogs and cattle and producing more on the farms, then I ask are not the children of this country of more value than cattle and hogs? Was not Edgar A. Guest right when he said?—

The wealth of the world isn't silver or gold,
Or the diamonds and rubies its caverns may hold,
Or the trees in its woods or the power in its pools;
The wealth of the world is to-day in its schools.
For nothing has value which lies in our ken
Without the high thinking of women and men.

When you have added the dollars and measured the ore,
Take stock of the children that play at your door,
For the wealth of the world which on paper you pen,
Is as dirt by your feet without God-fearing men.
And the strength of our nation lies not in its guns
But deep in the minds of its daughters and sons.

Strip men of their manhood, and silver and gold
Are nothing but metals, hard, bitter, and cold.
Take honor from women and all things turn black,
The world to the dark, dismal ages goes back,
For the gold was all here and the forests here then
Awaiting the day when the world would have men.

The wealth of the world isn't found in its streams,
It lies in its people and all of their dreams.
Imagine this world with its gold if you can,
Without the high thinking and courage of man.
You can sum its resources again and again,
But the wealth of the world is its women and men.

ADDRESS BY ROSCOE POUND

Mr. STOBBS. Mr. Speaker, I ask unanimous consent to extend my remarks by inserting in the RECORD an address delivered by Dean Pound, of the Harvard Law School, and a member of the Commission on Law Observance, at the tenth anniversary dinner of the bar association of this city?

Mr. UNDERHILL. Mr. Speaker, I want the House to understand that this is not the dean of the Harvard Law School, but a member of the President's Law Observance Commission. There is a distinction.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. STOBBS. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following address delivered at the tenth anniversary dinner of the Federal Bar Association at the Mayflower Hotel, February 22, 1930, by Roscoe Pound, dean of the Harvard Law School and member of the President's Commission on Law Observance and Enforcement:

WASHINGTON'S BIRTHDAY MEMORIAL

We are accustomed to thinking of George Washington as he is represented to us in statues and portraits. We think of the imposing commander in chief, of the dignified President of the Constitutional Convention, of the ceremonious first President of the United States, conducting something very like a court, from which the democratic movement of the beginnings of our polity reacted so vigorously.

The statues and portraits do not represent Washington, the pioneer. They do not show us the man who surveyed Lord Fairfax's domain, familiar with the wilderness, a believer in the development of the unsettled domain to the west of the fringe of civilization along the coast. They do not show us the man who had learned from the Indians the possibilities of a less formal and more individual fighting as against the formal drill and disciplined movements of the regular armies of the eighteenth century Europe. For let us not forget that Washington was a pioneer in fact and largely in spirit. Largely in spirit, I say, because his strong but restrained personality had other elements which held back the characteristic behavior of the pioneer. He might be called a type of the right-wing pioneer as Andrew Jackson is a type of the left-wing pioneer. Thus it is not inappropriate on Washington's birthday to think for a few moments on the pioneer spirit in American institutions and American law.

Much has been said of late as to a supposed breakdown of law and order in this country, as to a passing of old-time standards of an orderly society, a relaxation of standards of individual behavior, an enfeebling of the old-time agencies of social control, the home, household discipline, the church, the discipline of religious organization, and the neighborhood, the discipline of the feelings of one's neighbors as to what is done and what is not done.

That there is much confusion in current thinking on moral questions, that even the best and most conscientious of our citizens are at times bewildered by the problems of regulation of conduct and adjustment of relations presented by the life of to-day, goes without saying. I am not here to argue some one cause or to set going propaganda for some one supposed remedy. But I would suggest one cause of difficulty in law observance and law enforcement in this country—and those are things in which George Washington thoroughly believed and in respect of which a serious breakdown would have given him the deepest concern. I would suggest that one cause of difficulty is that our institutions, our polity, our laws, and our whole attitude toward them have a background of pioneer life. They were fashioned by pioneers to the needs of a pioneer society. Their whole spirit is that of the pioneer. We have been brought up to look upon them through the eyes of the pioneers. Hence they work awkwardly in the urban industrial society of to-day. It is not that there has been decadence in the moral fiber of the people. It is rather that what were virtues in pioneers and in pioneer societies are no longer virtues in the residents of crowded urban centers and in industrial societies.

I need not say that the picture of an ideal human society as drawn by the pioneer is not exactly the picture of an ideal human society for a world of aerial navigation and motor transport and radio and wireless telegraphy and electricity and steam.

This will be brought out better if we look into the distinguishing characteristics of the pioneer and particularly his distinguishing virtues as he saw them.

A succession of acute foreign observers saw the pioneer and his works from the early nineteenth century down to the present century and have given us their impressions derived from diverse points of view. Mrs. Trollope, Dickens, De Toqueville, Lord Bryce, and Kipling saw him from their several standpoints, and, with allowance for those standpoints, saw much the same outstanding characteristics. What has stood out in every portrait of the pioneer is self-reliance and independence, impatience of restraint, restlessness, and a disposition ever to be on the move; versatility, a suspicion of specialization, and a firm belief in the ability of anyone to do anything; dislike of form, impatience of ceremony, and disposition to take short cuts; a disregard of the amenities of life and preference for rough, blunt, outspoken manner and conduct of negotiations; and a bent for politics, a zest for individual participation in public affairs, and a tendency to bring all things into the political arena, to make law politics and politics law.

There were good reasons behind each of these characteristics of the pioneer. They were born of his struggle with new conditions of life in

the New World and they served to adapt him to the needs of that life. He had to be self-reliant. There was no policeman around the corner to whom he might appeal for protection.

There was no minutely organized bureau or set of bureaus at hand to see that his food was pure, that the medicines he was able to procure at rare intervals were wholesome, that the measures he used were standard, or that the investments he made were safe. He could not fall back on a benevolent governmental paternalism or solicitous governmental maternalism to see that he did only what was good for him. Very likely the conditions of pioneer life developed this self-reliance and independence to excess. "The unthinking sons of the sagebrush," says Owen Wister, "ill tolerate anything that makes for discipline, good order, and obedience, and the man who lets another command him they despise." This is the very spirit of the pioneer in the exaggerated form it takes at the last stand on the frontier. But this spirit is anything but a virtue in the life of an urban community where discipline, good order, and obedience are imperative to enable the complex economic order to function effectively.

Again, restlessness was a virtue in pioneer America. It drove the most vigorous elements of the population to the fringes of civilization in quest of new areas to be opened, new resources of nature to be developed, new commonwealths to be founded. It was behind the successive waves of westward expansion that took our people across the continent in the first century of our national existence. But when this restlessness takes the form of a continual and heavy turnover of labor in industry, it is less a virtue.

When it takes the form of continual legislative experimentation at the expense of stability it is less a virtue in a highly organized economic order. When it takes the form of mental restlessness—physical restlessness being inhibited by the disappearance of frontiers open to the adventurous—this mental restlessness is likely to interfere with the long-range calculations of modern economic and industrial enterprise and ceases to be wholly a virtue.

Again, it was necessary that the pioneer be versatile. He had to be versatile or get off the earth. He must be equal to anything that was to be done or it must remain undone. There was no telephone at his side, no garage around the corner, no trolley line down the road, no bus line past his door, no directory on his shelf giving the names and addresses of 100 specialized services at hand waiting to respond to his call. He must be prepared for all emergencies and must meet them himself. It is no wonder that he had faith in the efficacy of individual effort. It is no wonder that he looked down on specialists and was supremely confident that any honest citizen was competent to any task. It is no wonder that he believed in lay judges, in herb doctors, in fervent and eloquent self-called preachers, and in volunteer generals. Even Bull Run and Shiloh did not wholly break his faith in the latter. His faith in apprentice-trained physicians, patent medicines, and quack healers died hard before the coming of modern science. His faith in apprentice-trained lawyers and judges elected on popularity or instinct is still with us, albeit it has suffered some rude shocks under the conditions of administering justice in the great city of twentieth century America.

Nor is it strange that the pioneer should dislike form and be impatient of ceremonial. In the New World such things seemed to have no place. They stood in the way of the spontaneous free self-assertion which was the motive force of pioneer life. The Colonials had vivid examples of how the formal drill and rigid military ceremonial of European armies stood in the way of efficiency on the battle fields of America.

No wonder that for a time we undervalued these things. Taylor was probably our last general to lead in the field in civilian attire, and Grant the last to command armies in the uniform of a private. More and more we have had to be learning that in a crowded urban society form and ceremonial may save time and advance the dispatch of business instead of wasting and retarding.

Disregard of the amenities had caused closely akin to aversion to form and contempt for ceremonial. The pioneer was too near to nature to appreciate the conventional artificialities which smooth the path of life in a crowded society. His neighbors were not jostling him in elevators or rubbing elbows in busses and trolley cars or dodging him in the subways during rush hours or blocking his path on the sidewalks as he went to his work. There was no long procession of vehicles in front and behind and no counter procession on the other side of the way as he drove his team along the road.

Politeness and conventional manifestations of good will, which obviate friction and keep order in apartment houses and office buildings and at the myriad points of contact in a modern city, had no serious rôle in pioneer life. They seemed traditions from the Old World. We have been having to learn their value in the different social order of the present. We are having to learn the waste involved in undignified, uncereemonious, forensic conduct in a busy court. We are having to learn that wranglings of counsel, however interesting as a spectacle, when the pioneer found his theater in the courtroom, are obstacles to efficient administration of justice in the twentieth century. We are having to learn that more can be done and done better in the pomp

and ceremony of a court at Westminster than in the offhand, easy-going, unrestrained atmosphere of the pioneer tribunal.

Most of all, however, the pioneer delighted in politics. There was no theater at hand. There were no movies around the corner. There was no radio in the house. But he could discuss politics with his neighbor. He could go to rallies; he could take part in caucuses. He could find his recreation in a devoted interest in public affairs. They were relatively simple. He could know or learn all about the relatively short list of candidates. The questions at issue were not too complex to be the subject of reasonable debate between him and his neighbor.

We have been wont to deplore the relative lack of interest in politics on the part of the city dweller of to-day. But he has other recreations—the pictures, the radio, his automobile, the baseball game, the football game. Moreover, he can know but little of most of the long list of candidates, and the questions at issue are frequently so intricate and so specialized that he must judge them by instinct or traditional prejudices or simply follow his leader. In the city of to-day the devotion to politics that made the pioneer a pillar of the Commonwealth is likely rather to give us a caterpillar of the Commonwealth.

In law and administration the pioneer's tendency to put everything into politics is especially ill adapted to the conditions of to-day. Administration has come to be a sort of social engineering. It is a getting done of the things which must be done through legal or governmental machinery in a highly organized economic order. It is a getting them done with a minimum of friction and waste. Politics, as the pioneer played the game, is not an art of getting things done. It is a battle of opposing organizations. Any good citizen was competent to do well enough the relatively few and simple things there were to be done. There was plenty of time to fight out how they should be done and, what was more interesting, who should do them. This conception first showed its weakness on the military side in the War of 1812 and again in the Civil War.

Probably the Spanish-American War was the last we shall carry on with the pioneer methods of the beginning of our polity. To-day the pioneer conception is showing its weakness in a general want of cooperation on the part of administrative agencies, in ineffectiveness of law-making and inefficiency of administration of justice, in a general ill adaptation of the law-making and law-enforcing administrative régime of the pioneer to the tasks confronting legislation and adjudication and administration in twentieth century America.

Just now it is fashionable to be "disillusioned." But I still have a Victorian faith in the American people. I have faith in their inventiveness and adaptability. I have faith in their ability to redraw our traditional picture to the life of to-day. Adaptability is an inherited pioneer virtue, and it is one which we may cherish. As Washington learned to adapt the drill and discipline of the professional soldiers of Europe to the conditions of warfare in the New World, so we must learn to adapt the ideas and ideals we have brought down from pioneer America to the exigencies of a world in which the pioneering has been done and the task is to build cooperatively upon the pioneer foundations.

PERMISSION TO ADDRESS THE HOUSE

Mr. FISH. Mr. Speaker, I ask unanimous consent to address the House this afternoon for 10 minutes, after the completion of the remarks by the gentleman from Pennsylvania [Mr. BRUMM].

The SPEAKER. The gentleman from New York [Mr. FISH] asks unanimous consent that he be permitted to address the House for 10 minutes following the remarks of the gentleman from Pennsylvania [Mr. BRUMM]. Is there objection?

Mr. CRAMTON. Mr. Speaker, reserving the right to object, will the gentleman from New York [Mr. FISH] join with that request a request that we have a night session to-night for the purpose of considering legislation now pending before the House?

Mr. TILSON. Mr. Speaker, we have over three hours of special orders to-day before we can go on with unfinished business. I think we have reached the limit.

Mr. O'CONNOR of Oklahoma. Does the gentleman know when the last bus will leave?

Mr. TILSON. I do not know. They may be all out of existence by that time, as far as I know. I object to any further addresses to-day.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. FISH]?

Mr. TILSON. I object, Mr. Speaker.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask unanimous consent that I may be permitted to address the House for 15 minutes after the completion of the business on the Speaker's table on next Tuesday.

The SPEAKER. The gentleman from Wisconsin [Mr. SCHAFER] asks unanimous consent that at the conclusion of the address of the gentleman from Pennsylvania [Mr. WATSON] on Tuesday, March 25, he may address the House for 15 minutes. Is there objection?

There was no objection.

PER CAPITA PAYMENT TO SHOSHONE AND ARAPAHOE INDIANS

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent to vacate the proceedings whereby the vote on the passage of the bill (S. 3579) authorizing a per capita payment to the Shoshone and Arapahoe Indians was reconsidered and laid on the table, for the purpose of amending the title to conform to the act.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. CRAMTON]?

There was no objection.

Mr. CRAMTON. Mr. Speaker, I offer an amendment to the title of the bill.

The SPEAKER. The gentleman from Michigan offers an amendment to the title of the bill, which the Clerk will report.

The Clerk read as follows:

Amend the title so as to read "Authorizing a per capita payment to the Shoshone and Arapahoe Indians."

The SPEAKER. Without objection, the amendment to the title will be agreed to, and the vote by which the bill was passed will be reconsidered and laid on the table.

There was no objection.

INTERNATIONAL FUR TRADE EXHIBITION AND CONGRESS

Mr. FISH. Mr. Speaker, I ask unanimous consent to take from the Speaker's table House Joint Resolution 205, to provide for the expenses of participation by the United States in the International Fur Trade Exhibition and Congress to be held in Germany in 1930, and concur in the Senate amendments.

The SPEAKER. The gentleman from New York asks unanimous consent to take from the Speaker's table House Joint Resolution 205 and concur in the Senate amendments.

The Clerk read the title of the resolution.

The Clerk read the Senate amendments, as follows:

Page 2, line 3, strike out "the delegates in attending" and insert "participation by the United States in."

Page 2, line 5, after "elsewhere," insert "but not including expenses or salaries of delegates, for."

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. GARNER. Mr. Speaker, reserving the right to object, did this resolution come from the Committee on Foreign Affairs?

Mr. FISH. Yes; it was reported by the Foreign Affairs Committee, and I have the approval of the Foreign Affairs Committee in making this motion.

The SPEAKER. Is there objection?

There was no objection.

The Senate amendments were agreed to.

RULES OF THE HOUSE

The SPEAKER. Under the order of the House the Chair recognizes the gentleman from Nebraska [Mr. HOWARD] for 45 minutes. [Applause.]

Mr. HOWARD. Mr. Speaker, since the dawn of the initial day of attempt to establish parliamentary government two schools of thought have contended for the supremacy, and in the present day the two schools are still in conflict. One school holds tenaciously to the claim that officials in control of a parliamentary body are, and of right ought to be, instruments through which the pleasure of the reigning monarch, or the administration in control of the realm, must be worked upon every piece of legislation considered by the body. This first school may be fairly designated as the conservative, or arbitrary school, in contrast with the second school, fairly designated as the liberal school. This second, or liberal school, holds fast to the doctrine that the officials in control of a parliamentary body are, and of right ought to be, nothing more nor less than instruments through which the will of the membership must always prevail. Instantly I take my place as student in and defender of this second school, regarding it as peculiarly the American school, in which every one of the foremost fathers of the Republic was a preceptor.

I come this morning to speak upon a serious subject, and my utterances may—if my colleagues shall fail to be very patient with me—possibly lead to an erroneous conclusion as to the real object of my present speaking. For the first time in all my service here I may in this hour ask permission to follow the lines of preparation, rather than to speak with that measure of spontaneity most becoming to one who has been granted the gracious privilege of addressing these walls and these ears. Perhaps my average colleague is more familiar with my impetuous side than with my side of repose, and if now I shall resort to reading, then let me plead pardon on the base of fear that my intensity of thought regarding the subject in hand might lead to intemperate sentences should I speak extemporaneously.

Please, may no colleague of mine in this presence misinterpret my motive in my words of this morning. Let me instantly meet and defeat the argument of any who shall say that I am attempting to detract from the grandeur and the glory of this House of Representatives, or that I am giving preference to the initial worthwhileness of any other legislative body in the world—not excepting the United States Senate. My object is not to debase this House of Representatives but rather to direct attention to its own shameful mistreatment of itself. Sages have said, and their sayings are true, that this House was intended to be a forum in which the soul of the American people, speaking through the lips of chosen representatives, could be heard—a forum in which every representative might have opportunity to express the views of his home people with reference to any pending legislative problem. Happy the wish that this design of the fathers might be the fact as of to-day, but in the garish light of the record in recent years one is impelled and compelled to the conclusion that our House of Representatives has become everything else than a deliberative body.

To whom shall we ascribe the blame for this shameful fact? Shall one stand here and speak as a partisan, declaring that the blame belongs to one particular partisan political organization? In the glaring light of fact I dare not—and shall not. The unhappy transforming of this House from its original state as a deliberative body into its present state as a body in which deliberation finds small place has been due to no one political partisan organization but to a linking and a welding of influences in the two great political parties, influences preferring that this House shall become the plaything of official masters rather than the handmaid of its membership.

Perhaps I should, before proceeding further, select a text around and upon which to cluster in words my own estimate of a very unhappy situation in the legislative affairs of our Republic. And so I shall select a text, taking it from the very first verse of the very first chapter in the Book of Fact, reading as follows:

The liberal rules of debate in the United States Senate constitute to-day the last and only governmental bulwark between the average American citizen and those powerful predatory interests which so often seek and so often receive permission to spoliage the average citizen by aid of laws enacted by the Congress.

Very proud is the boast of the average American citizen that under our system of government nothing can take away from him the sacred right of free speech. Let one who shall carelessly utter that proud boast serve for a day or for a session as a Member of this House of Representatives, and thereafter his voice will be small, very small, when voicing that proud boast, if indeed not thereafter hushed to perpetual and shameful silence.

The United States Senate is to-day the only national forum wherein the right of free speech remains uncontrolled, and wherein the right of each individual Member to offer amendments to pending legislation is preserved in its entirety. No man, and particularly no American citizen, can find words to properly estimate the importance of free speech and the right to offer amendments in a legislative body. Without the safeguard of this sacred right the representatives of the people in any legislative body are wholly unable to express in speech, or in written amendment to pending legislation, the views of their home people regarding such legislation.

To-day in the United States Senate every Member has the inalienable right to offer amendments to any pending bill. He may seek by amendment to add something to the bill, or to take something from it, and his right to be heard with reference to any amendment, or to any question of governmental policy is unchallenged. Will any one of my colleagues here present, speaking in capacity as an individual Member of this House, be heard to say that any such sacred right is preserved to him in this body? I pause for reply. Silence reigns, and it is humiliating silence.

For the sake of comparison, let us now turn to the consideration of a tariff bill in this House, and then to the consideration given to a tariff bill in the United States Senate. When the tariff bill now being considered by the Senate was before this House did any Member have opportunity to fairly analyze the bill? Did any nonmember of a powerful committee have opportunity to rise in his place on the floor and offer an amendment to change any schedule in the bill? The individual membership of this House had absolutely nothing to say as to what the bill should contain, or as to what should be excluded from it. The people in our home districts were interested in the bill, and yet we had no opportunity to speak their desires with reference to any of its provisions.

Did we discover some particular feature of the bill which we felt must be harmful to our home people, and did we then cast

a vote against that particular feature? No; and for the ample reason that we were compelled, under the workings of the gag rules of this House, to vote for the bill as a whole, or against the bill as a whole.

I recall that immediately prior to the passage of that tariff bill under the gag rules of this House many Members denounced the bill as distressingly unfavorable to their home people. For reasons far beyond my ability to understand, those protesting Members said they would vote for the bill, admittedly hurtful to their constituents, believing that the Senate, working under its liberal rules, would enact wholesome amendments and send the bill back to the House with such amendments. Their prophecies in this regard have been in part fulfilled. The Senate has splendidly amended the bill in several directions, and some day—God and GRUNDY know when—it will come back to the House, carrying some good amendments—and some perhaps not so good.

This one object lesson, showing the different manner in which the two Houses have handled the tariff legislation, ought to be sufficient to sustain my contention as stated in the text upon which I am here basing my remarks. Shall it be construed as challenging the honesty, the patriotism, or the ability of the Members of this House when I assert that it has ceased to be a deliberative body, and has become a body in which three men control the doings of the House as absolutely as an American schoolboy controls his own marbles? I have no such thought in mind. Indeed, it is my firm conviction that the membership of this House in this hour will suffer not at all in comparison with the membership of any preceding House. Measured by the true yardsticks of probity, patriotism, and ability, this present membership is instantly the equal of any predecessor since this great legislative body first became the speaking soul of the American people in a legislative way.

I look about me here and discover colleagues magnificent in point of patriotic fervor, common honesty, and ability, supinely submitting to the sway and control of three official Members who are empowered by the House gag rules to allow legislation to live or to make it die, just as the trine will of the three shall decree. Many magnificent statesmen, sent here as servants of and spokesmen for their home people, are as helpless as little children in effort to accomplish legislation not favored by that trinity of control.

The average American citizen loves to behold the President of the United States as the most powerful man in the world, and particularly with reference to governmental matters in our Republic. Our President does have vast power. By the aid of his veto he may put to death any piece of legislation which may have been enacted by the two Houses of the Congress, but by a sufficient vote the two Houses may make that same piece of legislation live again, and may make it the law of the land despite the veto.

But there is here in Washington, holding membership in this House, one man far more powerful than the President of the United States with reference to affairs of government, and particularly with reference to legislative matters. That one man who possesses more power than the President of the United States is our princely colleague, the gentleman from New York, Mr. SNELL, chairman of the gag rules committee of this House. How vast is his power? Why, it is so far-reaching that he can choke to death any piece of legislation which may originate here, or which may come over from the Senate, before ever it can get a chance for consideration on the floor of the House. I can not believe that any one Member of this House, no matter how charming his personality, should be vested with such vast power. While always applauding the personality of that powerful man, never am I able to pridefully observe his exercise of power.

Often when observing his murderous treatment of legislation for the country's weal, or when beholding him promoting legislation for the country's woe, I find myself recalling a long-ago encounter between a magnificent President of the United States and a powerful money lord. In that encounter the mighty power exercised by the money lord in matters of Government was recited, and at the close of the recital the Chief Executive of that day looked the man of money straight in the eye and said some short words to him. And often now I am wishing that but for a moment I might have a tithe of the courage displayed by Andrew Jackson when he spoke to Nicholas Biddle. In that moment I would look BERTRAND SNELL squarely in the eye, and my Quaker lips would paraphrase the speech of Andrew Jackson long enough to make them say:

Chairman SNELL, the power which, under the House gag rules you exercise, is too damned much power.

If time would now permit I would like to direct attention to many good things accomplished by the aid of the liberal rules of the United States Senate—good things which this House of

Representatives should have accomplished; but, hindered by its own gag rules, could not. For instance, the Norris "limping duck" resolution has been, by aid of liberal rules, pushed through the Senate several times. It is my sincere judgment that if that lame-duck resolution might come to a vote in this House right now it would receive the votes of a large majority of our membership. But it does not come to a vote. Why? Because 3 men in this House, by aid of the gag rules, are more powerful than the other 432 Members. Long ago the House should have been the originator of legislation to do away with the lame-duck sessions, but it remained for the Senate, under its liberal rules, to take the initiative. To-day there is reposing in a pigeonhole in the House Rules Committee a resolution requesting consideration of the Norris lame-duck resolution which came over from the Senate months ago. I refer to House Resolution No. 177. Just why this resolution was consigned to the Rules Committee cemetery I do not know, for, indeed, the resolution did not ask for Rules Committee action until after action by the Committee on Election of the President and Vice President.

I have expressed belief that this limping-duck resolution is favorably regarded by a large majority of the Members of this House. If that be true, then why does not that majority sentiment make a demand that the resolution be brought before the House. Simply because, as every Member knows, in order to drag a measure from a hostile committee a petition to that end must be signed by 218 Members of the House. Such a petition can not be carried about and presented for signatures. It must lie on the Clerk's desk and may only be signed by Members when they go to the desk and ask permission to sign it. No such gag rule was ever invented by any other legislative body in any country claiming even a semblance of parliamentary government. Since that particular gag rule was invented, no petition to compel a hostile committee to report a bill has ever received 218 signatures. At this moment there is lying upon the Clerk's desk a petition in behalf of consideration of a bill to carry quick relief to the disabled soldiers of the World War, and particularly the ex-service men now victims of tuberculosis. This petition, in a cause almost holy, is languishing and dying for lack of 218 signatures, although it must be true that the heart of this House would run quickly to the rescue of the fast-fading tuberculars were it not impeded by fear of the disfavor of the operators of our gag rules.

The infamy of our House gag rules system runs even to the length of compelling the House to spit in the face of the Constitution of the United States. That Constitution commands the Congress to pass a reapportionment bill every 10 years, and yet, by aid of the gag rules, the controllers of the House prevented action, and I now sadly recall the fact that it was the liberal rule of debate in the Senate which compelled the House to observe belated loyalty to that Constitution which each Member here had so solemnly sworn to support and defend.

Ever since I began study of the science of government—in which study I am still in the primary class—I have believed it was the mission of the House to conduct investigations such as have now seemingly been given over wholly to the Senate. This House should have begun investigation of the predatory oil interests years ago, and yet never a move was made in that direction. The country had never been permitted to peer beneath the lid of Teapot Dome and behold the seething mass of corruption therein, nor had the country's nose ever been sickened by the foul effluvia arising therefrom had the lifting of that lid been left to our House of Representatives. That lid was lifted alone by the crowbar of the rule of liberal debate in the Senate.

Once upon a time this House did attempt to impeach a Daugherty. My love for this House forbids further mention. But the liberal rules of the Senate came into action. The Senate proposed to investigate Daugherty and did investigate him. One faithful and intrepid Senator, by aid of the liberal rules, forced a roll-call vote on a motion to investigate Daugherty, and then that Senator, in order to prevent a packed investigating committee, proposed that the committee should be selected by the Senate as a whole and not by an individual Member. The country now knows the result. The most startling disclosures were made, finally resulting in the trial of Daugherty and Miller. The penitentiary won Miller. Daugherty escaped by the narrow margin of one vote.

It was the liberal rules of the Senate that made possible an investigation of the oil leases. By aid of the liberal Senate rules a few Senators forced a roll-call vote on the resolution for investigation. The roll call in a legislative body has been well said by Senator NORRIS to be the guardian angel of progressive government. In this particular case the roll call brought unwilling votes in sufficient number to pass the reso-

lution. The result was the uncovering of some of the most shameful official proceedings in our Nation's history. Members of a President's Cabinet were found to have been engaged in bartering the natural resources of the country for a money price. Property thus stolen, in value beyond a billion dollars, has now been restored to the Government. All this because the liberal rules of the Senate enabled a few Members of that body, honest and brave, to successfully insist upon an investigation. Hindered by the gag rules in this House, such a victory for the right could not have been accomplished here.

The oil investigation is but a sample of other investigations by the Senate, some of which are now under way. Almost every day the headlines in the newspapers announce new and startling disclosures made by the Federal Trade Commission, always as a result of a Senate resolution giving directions for the investigation of Power Trust. For more than two years the Federal Trade Commission has been carrying on this investigation, made possible only by a few Senators who made use of the liberal rules of the Senate for that purpose. The country has been startled by the disclosures of the mighty power of the greatest combination of moneyed men and corporations ever joined together by the ingenuity of the human mind.

The watered stocks of public utilities, the political control, the propaganda methods of Power Trust to mold and control public sentiment—reaching even into our public and private schools and universities, our churches, our lodges—robbing the people by stealing their own money, and then deceiving them by spreading propaganda with money which Power Trust had wrongfully taken in the form of unjust charges for public-utility service all over the land. All this has been exposed because the liberal rules enabled the Senate to act—perhaps not a majority of the Senate, perhaps just a little coterie of Senators—but under the liberal Senate rules that small number of Senators had the power to force action.

I have given only a few instances of the guardianship of the interests of the common herd in our country by a few Senators, their best weapon in their fight for the masses being the liberal rules under which that body is working. These instances clearly show what this wonderful House of Representatives might accomplish in that direction if only we could get out from under a control of legislation here by a system of gag rules which has bound this House to the chariot wheels of three drivers, splendid in their personalities, but as ruthless as Geronimos in their roughriding over the fair rights and prerogatives of the individual membership.

Mr. Speaker, it can not be that advisedly any foe or friend has listed me as peering through covetous eyes toward a seat in the United States Senate. First place I yield to none in expression of the proud privilege which is mine—the privilege of serving in this ancient and honorable body, along with this present galaxy of the noble and the true. Collectively we constitute a legislative nobility never marred, save only when it sleeps supinely and obeys truculently a system of gag rules constituting the one and only shame of the United States House of Representatives.

May the God of our fathers give wings to the hour in which this House shall dethrone the unworthy monarch of gag rule and adopt as its own at least a measure of the liberal rules of debate which now make the United States Senate the last steadfast bulwark between the common herd in America and those mighty predatory interests which so often seek and so often receive special governmental favors, by aid of which they are enabled to extract unearned tribute from the citizenry of the Republic. [Applause.]

Mr. ALLGOOD. Will the gentleman yield for a question?

Mr. HOWARD. Oh, yes.

Mr. ALLGOOD. The gentleman referred to the tariff measure and the procedure which was followed, but the gentleman failed to state that in writing the tariff bill in the House the minority members of the Ways and Means Committee were excluded altogether.

Mr. HOWARD. The gentleman is absolutely right. I have but one plea to make for my failure in that direction, and that was, if my colleague will permit, to carry out in good faith the intention I had in mind to make my little address this morning absolutely devoid of anything in the nature of the partisan. But what the gentleman says is absolutely true, and it is shamefully true. Yet I did not think it best to inject anything of a partisan nature into my remarks this morning.

Mr. ALLGOOD. Will the gentleman yield again?

Mr. HOWARD. Certainly.

Mr. ALLGOOD. The gentleman has pointed out the facts in the case, and pointed them out well. What is the gentleman's suggestion as to the treatment or cure?

Mr. HOWARD. Oh, the suggestion is instant. It is to give the individual Member of this House a right to speak the sentiment of his home people on this floor and to liberalize the rule of debate. For instance, here comes a man, sitting in front of me, Mr. TIMBERLAKE, of Colorado, representing a people who are engaged more largely than the people of any other district in the United States in the production of sugar beets. Did he have an opportunity to rise on this floor—as an individual Member and as a nonmember of an important committee—and offer an amendment to raise the rate of tariff on beet sugar? Why, no. Here I come from an exclusively agricultural country. Did I have an opportunity to offer an amendment to increase any manner of tariff rate on the agricultural products of my particular country? No; not at all. The gentleman is absolutely right.

The gentleman asks my remedy. There is only one remedy, and that is to give us a liberal rule of debate and dethrone this gag rule under which we have triune control.

I will say to the gentleman, and I will say to all of my colleagues, that I would prefer at this moment to have my Speaker sitting up there and absolutely controlling the debate of this House, saying who should speak and who should not, than to have the present system under which I, as an individual Member, am compelled to beg time from a brother Member, who is my equal in every respect, if he can be. I do not believe in it. I look up to authority. I believe in authority, but I do not believe in making one Member of this House more important than his fellows because he is in control of a committee; and I do not believe in giving him more influence on the floor of this House and more opportunity for influence than the humblest individual Member on the floor. It is not right; it is damnable and destructive of the rights of the individual Member.

Mr. ALLGOOD. Will the gentleman yield again?

Mr. HOWARD. Surely.

Mr. ALLGOOD. Then the House Members, by their own action, have reduced their own authority to less than that of the Members of the Senate?

Mr. HOWARD. Oh, the fault lies alone with the Members of the House. I told the gentleman and I told the House that I did not attribute this hideous fault to any particular political organization. I do not, because I recall that some Members of my own political organization were heartily in favor of these infamous gag rules. These evil gag rules were invented and manufactured by the linking and welding of influences in the two great political parties, those influences desiring that this House shall become a plaything in the hands of a trinity of managers, rather than the handmaid of the membership of the House. I believe that is true, and I believe it can not be gained.

If I have made any statement in my little talk of this morning that is not in harmony with the facts, I would humbly make amends in any way I can. I have tried to avoid any misstatements, and I hope I have.

Mr. GREEN. Will the gentleman yield?

Mr. HOWARD. Yes.

Mr. GREEN. Is it not also a fact that under the rules, as the gentleman has so ably mentioned them, it is almost impossible to offer an amendment or to get an amendment accepted on the floor? It is all cut and dried in the committee, and when a proposition is brought before the House we have little chance to express ourselves or to amend. I detest any such rule and believe it not for the interest of expressive and representative legislation. The House rules should be amended to permit floor discussion and possible amendment. I commend my colleague from Nebraska for his plea for the restoration of the rights of the respective Members of the House.

Mr. HOWARD. That is absolutely true, as stated by the gentleman from Florida, with reference to the tariff bill. It is not altogether true with reference to other legislation, except sometimes when this powerful chairman of our Rules Committee brings in a piece of legislation, hurls it on the floor here like a flash of lightning out of a clear sky, and gives us no time in which to consider it and no opportunity to offer amendments. Sometimes we do have a chance to offer a little amendment, but not very often. I remember I offered one the other day, and it was a good one, too, although it did kill the bill. [Laughter and applause.]

Mr. Speaker, always desiring to work the welfare and the pleasure of my majority floor leader, I heard him say a little while ago that he is terribly pressed for time, and could not yield any more time. I notice I have about 15 minutes left. I really feel I might use this for the good of my country, but my love for my majority floor leader bids me now to yield that 15 minutes to him to be disposed of as he may desire. [Laughter and applause.]

AMERICA IN A WORLD AGE

The SPEAKER pro tempore (Mr. HOLADAY). Under the special order of the House the gentleman from New Jersey [Mr. EATON] is recognized for 30 minutes.

Mr. EATON of New Jersey. I wish it were possible, Mr. Speaker, for me to take the time at this stage of the proceedings to make an attempt, at least, to assuage the grief which shadows the mind of our distinguished friend from Nebraska over the depraved and enslaved condition of the Members of this House. I notice that the gloom which enshrouds his usually cheerful soul is lightened somewhat by his affection and admiration for the conditions obtaining in the United States Senate, and if, in the providence of God, the grateful people in his State should transfer him to that exalted body, his problems would be solved, although we would miss him badly here.

My purpose in addressing the House is to urge upon Congress and the country the imperative necessity for sane, courageous, and adequate attention to the new position among the family of nations in which our country finds itself to-day, and to outline some of the responsibilities which this new place of power and influence lays upon us as individuals and as a Nation.

It must be self-evident to every thoughtful mind that we are living in an intellectual, spiritual, and social climate radically unlike that of any period within the experience of the present generation. In common with all other peoples we find ourselves in what may be described as a World Age. The outstanding characteristics of this new world age have rapidly taken shape since the World War. Although we are still in the gray dawn of the new day, it is possible to determine in outline, at least, the most important of these characteristics.

We face, first of all, the fact that in this new age every section and nation of the world is in complete and continuous contact with all other sections and nations, and we are just beginning to evaluate the central significance of this condition. We live in a cosmic climate. No movement of any kind—social, political, economic—can take form in any quarter of the globe without becoming immediately the common possession of, and affecting for good or ill the common consciousness of mankind. Local facts and forces remain as of old, but their relationships are constantly becoming universalized.

For a century and a half our country has been floating down the ever widening and deepening stream of a distinctively national development. We have been mainly concerned with the problems of an American culture and an American prosperity. We had a new continent to explore, exploit, and organize. We had to create for ourselves new constitutions, new institutions, and new social instrumentalities. We seemed to be self-contained and to a degree had to be self-centered.

The World War changed all this, as it changed the status of every other race and country. That titanic struggle contained within itself the death throes of an outworn age and the birth pangs of a new era for all mankind. To-day, in common with all other peoples, we find ourselves adrift upon an uncharted sea of universal change and contrast, upon whose far shores we hope to find room and scope for a civilization spacious and genial enough to meet the utmost needs of human progress. Ours is the largest ship. It carries, we believe, the most precious cargo. Even if we would we can not turn back to the safe anchorage of our home port. Like all the others, we must make the hazardous voyage. We are beset and baffled by strange new tides and currents. We must steer by new stars. Whether we will or not, necessity is upon us to face these new world conditions. The price for our national safety and progress as for all other nations is the abandonment of parochialism and provincialism in thought and method. Unless we learn to think in world terms we can not think our problems through at all.

It is this vast and devastating break-up of old ideas, ideals, and relationships, which accounts in large measure for the mental and moral unrest which afflicts all societies at the present time. Everywhere discontent, cynicism, petulance, and instability are common expressions of the social temper. Discontent among the rich because they are rich. Discontent among the poor because they are poor. Everyone seems to want something that he has not got and his desire usually ends in getting something that he does not want. The substitution of amusement for happiness and molecular motion for intellectual tolerance and spiritual serenity satisfies no one. The delusion that statute law can successfully displace the authority of conscience and reasoned judgment gets disappointing results. Hysterical attention to the business of others leaves little time and less inclination for the individual to attend to his own responsibilities. The mote in his neighbor's eye distracts attention from the beam in his own eye. One of our most popular spiritual excitements consists in shocked contemplation of the faults and

failures of others. Even statesmanship at times waxes great by the stern exposure of the total depravity of corporate and individual taxpayers.

Amidst this universal strife of tongues and clash of wills and interests we can not remind ourselves too often that behind the shifting shadows of human failure and frailty in every age stand the eternal verities of truth and justice unshaken and unshakable.

Through all the changes and chances of history mankind has advanced slowly but surely toward the golden day when all men shall enjoy full participation in all the good things of life—spiritual, intellectual, material.

Perhaps the most pregnant and significant shift in the emphasis of thought in this new world age is the placing of humanity above material things as the chief concern in the social process. No longer do we conceive of business or politics as an end in themselves. They have value and meaning simply as a service to mankind, to men, women, and children. I would place this as the proudest achievement of the civilizing process. While as yet we only discern the vast revolutionary implications of this idea, it is evident that it contains within itself potentialities which must eventually reconstruct all society. In this twentieth century man will not only achieve a new dominion over the forces and resources of nature, but he will learn to use this dominion for the liberation of all classes in all sections from many of the burdens which have cramped, degraded, and held back the individual in his development.

Another important factor in the intellectual and spiritual climate of the new age is the consciousness of political power which manifests itself among the masses of men in all countries. This has been named a demand for self-determination. Whatever name we give it in its practical results it is disturbing every organized political society in the world. It is modifying the permanent institutions of countries like the United States and Great Britain, Germany, and Italy. And it is acting like a powerful ferment rapidly dissolving and reassembling the materials of society in nations like China and India.

This new world age is preeminently an economic age. For the first time in history every civilized society is focusing its main attention upon one common problem. That problem is how to eliminate and gradually abolish economic poverty. This supreme central idea or objective controls political policies in all countries. It is rapidly modifying the social thinking of all societies. As it moves irresistibly forward to take possession of the citadel of men's minds everywhere, it creates confusion and loss. But at the same time upon the wreckage of social machineries which it destroys, it is building up a new, wholesome, humane, and progressive type of civilization.

The determination to eliminate and finally abolish economic poverty throughout the world is no longer a Utopian dream. Science has placed in the hands of men everywhere the scepter of full dominion over the forces and resources of nature. There is no doubt that the production of enough of every commodity needed to sustain a wholesome physical and spiritual existence for the entire race is already far within the power of organized industry and agriculture to achieve. Our chief problem now is how to create a sufficient buying power to absorb our mass production. There are two main plans for the accomplishment of this purpose claiming the attention of the world. One is the Russian idea—known as communism; the other is the American idea, which for want of a better name we may call cooperative individualism—the Russians call it capitalism.

One of these plans will surely rule the world. In practice they will profoundly modify each other, but in essence they are mutually exclusive. There is not room enough in the world for both. In its economic structure the world must eventually become all Russian or all American.

The communistic leaders of Russia have no illusions on this point. They are at war with every society in the world, including the peasant class in Russia itself. At this very moment they have moved their New World headquarters to New York and are at work in the United States enlisting the aid of self-styled liberals, who have nothing else to do; staging strikes and parades; rubbing salt into every social sore; and fomenting every antisocial poison among the alien minded in our large cities.

The Russian communists have newspapers in New York and elsewhere financed from Moscow. They have throughout the United States organizations for purposes of social agitation led and financed from Moscow, bearing names as similar as possible to the honored names of American labor groups. They have here an active political party, and here, as everywhere else, they are the very incarnation of hate, suspicion, lawlessness, and violence.

This determination of the Russian communists to destroy all existing social, economic, and political institutions in the whole

world is entirely logical. Their communistic society as set up in Russia can not permanently do business with or even live at peace with any existing society or nation. Normal men in the rest of the world believe in God. The communists propose to abolish God by uprooting all religion. The world has a common standard of morals covering the essentials of human conduct. Communism has no morals. Its whole philosophy is repugnant to every normal idea or ideal cherished by the world through the long centuries.

Now, what has the American plan of life to offer as its reason to be? How has it handled the problem of poverty? What kind of men and women has it produced? What is its program for the future? How does America compare with the rest of the world in all that makes life for the masses of men bearable and worth while?

Let us admit at once that we are still far from the millennium. We still have grave inequalities and injustices in our social structure. Our very progress has created immense new difficulties and disturbing problems and will continue to do so. But we are on the way toward better things, and we have already done more toward the lessening of general economic poverty than any society that ever existed. Even at this time of business uncertainty and stress, our economic worst is better than the economic best of any country in the world with the possible exception of Canada. And in this fact lies one of our most baffling problems.

How has this been accomplished? Certainly not by any dictatorship of the proletariat—not by any class war—not by bloody revolution—not by the enthronement of hate as the cardinal virtue.

We have reached our present level of happiness and prosperity, imperfect as it may be, by adherence to our American ideals of individual effort; individual private ownership of property; free cooperation among all interests for their mutual good; a free political Government alert to guard the rights of all, to preserve the sanctity of the home, to furnish education for all, to insure every man the right to work and worship in his own way.

There can be no question that in this economic age America leads the world in progress toward freedom from poverty. With 6 per cent of the world's population, we have in use 60 per cent of the world's telephones and 78 per cent of the world's automobiles. We use practically as much electric power as the rest of the world put together. Over 20,000,000 of our homes are wired for electricity. Over 50,000,000 of our people have on deposit in the savings institutions of our country around \$30,000,000,000. Seventy-five million policyholders are paying premiums on around \$100,000,000,000 of life insurance guaranteed by cash reserves great enough to pay the Nation's debt. In the State of New Jersey a million and a quarter of our citizens have a billion and a quarter dollars invested in building and loan associations alone. At least a quarter of our people engaged in gainful occupations own securities in the industrial securities of the country. Last year the people of this country saved in Christmas funds over \$600,000,000.

The enormous purchasing power of the American people has been made possible by the highest wage level in the world. And this wage level is paid out of the high production of labor. And the high production of labor is made possible by full understanding and cooperation between employer and employee; by good management, good machinery, and the use of cheap and abundant power.

It has long been a commonplace of patriotic oratory that America is the hope of the world. I believe that this is the truth, but not in the old accepted sense. We used to think that America was the hope of the world because men could come here and find a better job with better pay and better living conditions than they had known in the lands of their birth.

To-day America is the hope of the world, because by American methods under our American system of government, and the American-minded conduct of our industries, we have demonstrated that poverty can be eliminated. We are still far from complete success in this magnificent demonstration, but we are far enough along to prove that we are on the right track and headed in the right direction.

This is what we have at stake. This is the responsibility that rests upon every citizen and upon all our governments—National, State, and municipal. We must not fail our own people. We must not pluck from the sky this one star of hope for the struggling sons of men in other lands who, because we have done what we have, take heart and courage to strive for the same results in their own place and under their own peculiar conditions.

We are now entering upon a national political campaign. No party has any right to the confidence of the people which

can not come before them with a workable plan to aid, so far as Government can, the masses of our citizens to hold their present economic status and make further progress toward freedom from the curse of poverty. This is the supreme issue in this campaign, involving as it does the happiness and security of all, regardless of breed, creed, or class.

The American people are tired of mere partisan ballyhoo. They know that this is essentially an economic age. Our problem is mainly an economic problem. And there is no partisanship in the multiplication table. What the average American citizen wants is a chance to earn an honest wage sufficient to care for his family and himself according to American standards of living. He wants to be free from the fear of losing his job and to have a surplus against old age and illness.

It has been well said that our people are striving for a four-fold prosperity—the prosperity of productive capacity, the prosperity of purchasing power widely distributed, the prosperity of security of life and property, the prosperity of leisure for full enjoyment of life more abundant.

We have an almost infinite number and variety of agencies of a private and social nature working to conserve and upbuild the priceless fabric of our American civilization. The church, the school, the home, great public-minded organizations like the American Federation of Labor, and various voluntary cooperative bodies. These constitute a noble and reassuring expression of our genius for self-government and free cooperation for common ends.

When we enter the realm of politics the prospect is not so inspiring. The political mind is still far behind the economic mind in vision, courage, and constructive force.

We have a two-party system of government. At least, we have had a two-party system, and in spite of the tendency to create blocs and cliques and sectional interests the skeleton of our two-party system still stands.

We are now entering upon a great national political campaign, in which the citizenship must choose which of the two major parties will be intrusted with the responsibility of carrying on our Government, so far as the legislative branch is concerned.

What is the program of the Democratic Party?

I gladly recognize the honorable history of the Democratic Party. It is our oldest political organization. It has had great men among its leaders. It counts within its ranks numbers of our noblest and best citizens. But the program offered by its leaders for solving the vast and complicated problems of our national life at the present time seems absolutely frivolous and intellectually barren, with no really constructive idea.

Judging from the daily outgivings of its official leaders, the Democratic policy in this campaign consists—for the present, at least—of these absurd negatives:

First. Our country, as a whole, is in a state bordering upon economic ruin, which sad condition has been brought about by Republican wickedness and inefficiency in office, and especially by that supreme iniquity, the Republican tariff.

And this in face of the fact that the Republican tariff is the sole governmental wall of safety between the starveling wage levels of the rest of the world and our American economic fabric, which is keyed to an American standard of living.

It seems useless to point out that our national income has trebled since 1909—reaching the enormous total of \$90,000,000,000 a year ago—that seven-eighths of the national income goes to the masses who earn less than \$5,000 a year; that we have now, in spite of temporary depression and unemployment, the widest distribution of wealth and the highest level of comfort ever achieved by any society since time began.

Second. To quote the chaste and restrained language of the Houston platform, the official leadership of the Democratic Party professes to believe that the whole official administration under Republican rule has become saturated with dishonesty and the watchword of the day should be, "Turn the rascals out." Which reminds one of the signs in front of a city store: "Do not go elsewhere to be cheated—come in here." [Laughter.]

And third, President Hoover, his advisers, and the party he leads are hopelessly incompetent and his administration during its first year has done absolutely nothing—or if it has done anything, it has done the wrong thing in the wrong way. Again in the language of the Houston platform—

This is the appeal of the Democratic Party to the people of the country.

Gentlemen, I say that for any political party to come before the American people with so puerile and feeble a program constitutes a national calamity, and I can not understand why, with the brains and character and quality and history that lie back of the great Democratic Party in this country, its intellectual processes should have frazzled out to such a series of meaningless negatives.

Mrs. NORTON. Will the gentleman yield?

Mr. EATON of New Jersey. I will be pleased to yield to my friend from my home State.

Mrs. NORTON. What does the gentleman think of the present senatorial fight in his own party on the other side of the Capitol?

Mr. EATON of New Jersey. I do not know just the particular fight. They have so many over there, which one does the gentlewoman mean?

Mrs. NORTON. Suppose the gentleman tells us about the Pennsylvania fight. What does the gentleman think of that?

Mr. EATON of New Jersey. I do not live in Pennsylvania, Mrs. Norton. I have troubles enough in New Jersey.

Mr. ALLGOOD. Will the gentleman now yield to me?

Mr. EATON of New Jersey. No; I yield to the fairer sex, but not to mere men. [Laughter and applause.]

Mrs. NORTON. I thank the gentleman.

Mr. EATON of New Jersey. Now, what is the Republican answer to all this? I wish I could take flight and wing myself into the seventh heaven of satisfaction over all our proposals, but I can not.

I have lived long enough to know that human nature is pretty frail no matter what its political label may be, but on the whole I think at the present time we Republicans have a program that is worthy of the attention and confidence of the American people; but, ladies and gentlemen, I am equally convinced that we have got to get rid of the intellectual graveclothes that have wrapped themselves around us in both parties and face the new, tremendous, challenging realities of this world age if we are going to serve the American people as political parties ought to serve. [Applause.]

In all my campaigns, as the lady from New Jersey [Mrs. Norton] well knows, I refrain entirely from personal criticism of Democrats, whatever I may think of their political program, because my belief is that when you scratch the surface and get under these political differences you find both Democrats and Republicans to be Americans first of all, and it is American-minded people we must put on guard.

Under the leadership of our great President the Republican Party has now in actual operation a constructive, practical policy for helping the American people to solve the vital and difficult problems that confront them in this world age. This policy begins with frank recognition of the fact that our chief domestic economic problems are vitally related to world economic conditions and forces. We have an excess productive capacity in both industry and agriculture of around 25 per cent. We must find foreign markets to absorb this excess at profitable prices. Foreign peoples can not buy our excess products unless they are prosperous.

In facing this world problem the basic Republican principle is that world peace is the foundation of world prosperity. The Kellogg peace pact and the movement for international disarmament are practical applications of this principle under Republican leadership.

The Republican Party stands, as it always has, for a tariff to protect both agriculture and industry, and we do not believe in the coalition doctrine that the way to aid agriculture is to injure industry.

The Republican policy, under Mr. Hoover's leadership, seeks to enlist all resources of science and research and the best brains of labor, finance, industry, agriculture, education, and religion to cooperate with Government in safeguarding and advancing the best interests of the whole country.

The Republican Party is acting upon the conviction that there must be developed a new world standard of economic comfort for the masses of men, and that this, in the long run, must be the American standard.

Either the rest of the world is coming up to our level or we must sink down to theirs. We can neither live nor die unto ourselves. We can not forever remain an island of prosperity in an ocean of adversity. Our problem is to keep our present American standard and go on to better things.

While these are general considerations, they are as practical in their effects upon human life as are the effects of climate upon fruits and plants.

Our country stands to-day face to face with the most searching test in our whole history. We have the brains and character and money and machinery to meet this test. We need only the vision and united constructive leadership of the best men and women in all parties to hold all that we have achieved and to go on to more glorious triumphs over poverty and distress, not only here but throughout the world. [Applause.]

Mr. ALLGOOD. Now will the gentleman yield?

Mr. EATON of New Jersey. I will yield to the gentleman.

Mr. ALLGOOD. I want to ask the gentleman this question: When this country is confronted with a common foe, like com-

munism, does not the gentleman believe that the Democratic Party will stand fast with the Republican Party and oppose it?

Mr. EATON of New Jersey. Yes; that is exactly what I think and what I want—the Democratic and Republican Parties to forget the secondary graveclothes conditions which separate them and get together in the interest of all the people of our common country and of all the world. [Applause.]

JUDGE HENRY B. ANDERSON

The SPEAKER pro tempore (Mr. ACKERMAN). Under the order of the House, the Chair recognizes the gentleman from Tennessee [Mr. FISHER] for 10 minutes.

Mr. FISHER. Mr. Speaker, ladies and gentlemen, in the brief statement made by the gentleman from New York [Mr. LA GUARDIA] on Wednesday last, on page 5105 of the CONGRESSIONAL RECORD, and the charges made in House Resolution 184 against Judge Harry B. Anderson, district judge for the western district of Tennessee, it is evident that they are based on anonymous letters and from unreliable sources.

It is understood by everyone that the present administration, particularly through the Attorney General, is making active efforts to enforce all laws. In the enforcement of laws the integrity of the presiding judge and the cooperation of the officers of the courts are vital to the successful prosecution of violators of the laws. The Federal judges are selected with great care after investigations have been made by the Department of Justice. These judges, as a rule, have the respect and confidence of our people, and before charges of misconduct are made a most careful investigation should be made to see that there is sound proof available and that the origin is not in the antagonistic spirit, arising from a hostile personal feeling or from violators of the law who have been in court and given deserved punishment.

It is well known that there has been friction between the United States district attorney and Judge Anderson and that there have been activities from the same group which unsuccessfully assaulted the judge to prevent his confirmation in 1925.

The spirit in which the judge meets these charges is shown in this telegram:

MEMPHIS, TENN., March 15, 1930.

HON. HUBERT F. FISHER,

House of Representatives:

Please say for me to chairman of the House Judiciary Committee that I earnestly request the appointment of an impartial committee to meet in Memphis to investigate the charges that have been preferred against me. After this committee has heard the sworn testimony of witnesses in refutation of the anonymous communications against me, I am confident of being absolutely vindicated.

HARRY B. ANDERSON.

Judge Anderson is a native of Michigan, but his family early in his life moved to Memphis. His father was for many years one of the outstanding business men of our city. He and his son, the judge, are Republicans. I have known Judge Anderson for 25 years. His college education was followed by the study of law at one of our great universities, and one of his teachers is now a member of the United States Supreme Court.

He and his family have an enviable place in the social life of our city. He was at one time president of the Tennessee Bar Association, and because of his combining business experiences with the law he was elected president of our chamber of commerce.

In 1917, upon the declaration of war, notwithstanding the fact that he had a family, with four children, he enlisted in the Army and was sent to France, where he served with distinction and was promoted to the rank of lieutenant colonel. In 1925 he was nominated for district judge and soon there was an attempt made to block his confirmation. This opposition was represented by the late W. F. Zumbrum, the attorney for the Ku-Klux Klan, who made efforts for two weeks to prove a lot of hazy charges, but finally abandoned the attempt and he was immediately confirmed.

His record as a judge since 1925 has been approved by the lawyers who practice in his court. The Circuit Court of Appeals of the Sixth Judicial Circuit rarely reverse his decisions.

When these charges were made against Judge Anderson I asked Albert G. Riley, a lawyer of Memphis, Tenn., who was familiar with these charges, to write me a statement setting forth an explanation, which he did:

Your letter of March 13 just came in, and I appreciate it, as well as the inclosures. I knew that you would become active in the matter at once.

Most of the facts you already know if you can recall them. I think I went over each charge with you last fall. Since that time, however, the Department of Justice sent down a corps of investigators, and Harry King advises me that at times there were as many as nine investigators

here. They audited, checked, and investigated each bankruptcy case for the last 10 years. They did not confine their investigation to the records but went out into the body of the county and interviewed purchasers of stock, attempting to make them exhibit to them the canceled checks. They did everything in their power to dig up corruption, whether they had any basis to work on or not. King advises me that Cage told him that he was going to put the whole bunch in the penitentiary. As a result of it all they learned that C. H. Elliott had been delinquent in making his settlements and by an order of Judge Anderson required him to close up his cases and account for his money. Phillips filed a motion to remove Elliott as trustee in one case. A check given to the Government for income tax was returned by the bank for insufficient funds. At this time the estate had been administered, all checks issued, and there was nothing further to be done in the case except to obtain the trustee's vouchers. Elliott stated that it was an error on the part of the bank, but paid the check to the Government.

It appears now that these investigators also investigated the entire records of the district court, covering all of the court's jurisdiction and every case.

Of course, we do not know what specific charges have been made to the Department of Justice, except those that are obtained through the La Guardia resolution and the newspapers. Harry Anderson's record is an open book, and every act that may have been investigated and unfavorably reported upon can be fully and frankly explained. It seems almost ridiculous to criticize the judge's conduct in regard to narcotic cases. That is one class of law violation that he thoroughly despised and imposed the most severe penalties for.

The commissioner usually fixed the bail bond in the sum of \$10,000 and it is my opinion that those with knowledge would testify that the judge's handling of this class of law violation has greatly reduced the amount of narcotics that have been illegally handled in the district. Everyone knows that narcotic violators thoroughly fear the court. Until specific instances are brought up one can not explain the resolution in regard to the amount of bail fixed when persons failed to appear and defaulted. You may be sure that whatever the judge did in any particular case was done wholly within the law and his own conception of justice in the particular case.

The resolution in regard to probation is likewise most unjust. I know of several cases, and I am sure other persons in authority know of dozens of cases, in which the judge probated defendants that have caused such defendants to make a new start on the road to redemption. In my opinion he has used the probation statute wisely and for the purposes for which it was made a Federal statute. Certainly there is no charge of corruption in this respect, and if any errors have been made they are no more than any human being would make when he had hundreds and thousands of problems to correctly solve. This charge almost seems to be baseless, and I can not imagine what is in mind. Certainly there has been no criticism in this district by lawyers or laymen in regard to such conduct.

As to bail bonds: When a bail bond is defaulted the law vests in the judge complete discretion as to what should be done under the circumstances, and in every case, upon an understanding of the facts, it will be shown that Judge Anderson followed the dictates of his mind and conscience.

In regard to the American bank: The bank was thought to be perfectly solvent and had enjoyed an enviable reputation for many years under Mr. Harry Cohen as a strong, sturdy, and well-managed bank. It is true that Judge Anderson's father had a loan at that bank, just as he had loans at the Bank of Commerce and the Union and Planters, which latter banks were designated depositories for Federal funds. No one understands why the judge should be criticized for the loan of money made at the bank by his father. It is true that the bank failed, to the amazement of the entire community and to the amazement of Mr. Cohen himself. There is no information in regard to any loss to bankrupt estates, as insinuated by the resolution. Every depository is required to put up a statutory bond, and there has not been any loss in the district to bankruptcy estates by bank failures.

Any charge that may have been made as to favoritism can be thoroughly explained, and it is entirely a creature of imagination, born of personal enmity. Doubtless the judge may be called upon to make clear a few particular incidents. There just is no foundation in fact for any such charge, and those that know the facts know that he is thoroughly impartial in the conduct of his court among all defendants and the members of the bar. Some of his good friends have had their clients receive pretty severe treatment, just because the client deserved it.

There is a newspaper charge about padding vouchers. You will note that it is a single instance, involving a very small amount of money. I do not know the facts in connection with the incident and have refrained from going into it at this time so as not to worry anyone with details until a specific charge is made. The judge has paid out of his own pocket hundreds of dollars in conducting his judicial duties, just because he has not been able to meet expenses in New York, Cincinnati, and other points on \$10 a day, living as a Federal judge should live.

There is some charge about the court messenger's monthly pay. There is absolutely no basis in fact for it, and all facts must come from this negro messenger, who would not hesitate to say anything to serve his

purpose in connection with it. I hear that he is a former felon and the judge had to discharge him. We all know that negroes drawing their pay once a month are always out of funds before the end of the month. He was constantly in debt to the judge. He even bought a couple of automobiles that the judge helped him out on. No doubt the messenger and the judge had a running account and at every pay day the negro had to and did make payments to the judge. I understand that he received his check from the judge's secretary or from the marshal, just as it was issued by the marshal. This character of charge based on a discharged negro's statement is vicious, and I have no doubt but the real facts will show just about the way I have given them.

You will recall that I told you that the judge's record in his decisions has been remarkably sound. In all the cases on appeal I think he has been reversed four or five times, and in some of those reversals his decision has only been modified. I know that the judges think highly of him personally and for his district court decisions. Judge Anderson has been meting out justice in a broad, fine way, and no one, neither laymen or lawyers, have really made any criticism of his decisions. He is broad, human, and has an uncanny ability to get a quick insight into litigated questions. Particularly is he quick to understand the guilt or innocence of defendants in a criminal case, and he then acts according to his judgment and his conscience. He has handed out justice, tempered with mercy, and in this administration I know of my own knowledge that two confirmed and notorious bootleggers have not reengaged in the business, owing to the punishment the judge imposed.

Judge Anderson may have made errors, as I have stated, but no one except a palpably biased enemy would attach any evil doing or corruption to his acts.

It would be a fine thing if at the proper time you could speak to the resolution on the floor, because you know the judge, and you may be assured that he has done no corrupt thing, nothing that the Senate would impeach him for, and I believe that if it should go to findings of articles of impeachment by the House that they would be boiled down to one or two matters, but the judge could easily explain them and they would fade away as the mist. If the committee should make a personal investigation of the charges prior to the findings of articles it is my candid judgment that no articles would be found.

Cordially yours,

ALBERT G. RILEY.

The Memphis Post, No. 1, of the American Legion, adopted the following resolution to show their attitude toward this assault:

LEGION BACKS ANDERSON—ADOPTS RESOLUTION INDORSING PUBLIC AND PRIVATE LIFE OF JUDGE

Unqualified indorsement of both the public and private life of Judge Anderson, coupled with an expression of confidence in his character and ability, were carried in the resolutions which were unanimously adopted by Memphis Post, No. 1, American Legion, Thursday night.

The document reads:

"Whereas the public press has carried news articles from Washington, D. C., stating that certain charges will be made against Judge Harry B. Anderson, judge of the United States District Court for the Western District of Tennessee; and

"Whereas Judge Harry B. Anderson is a member of Memphis Post, No. 1, of the American Legion, and is an ex-soldier with an enviable war record; and

"Whereas it has been our observation that Judge Anderson has conducted himself beyond reproach both in private and public life, and in the conduct of his court he has always tempered justice with mercy where justified; and

"Whereas by reason of his record, both in public and private official life, he has endeared himself to us and is a credit to the American Legion, to his profession, to the city of Memphis, and State of Tennessee; and

"Whereas we have utmost confidence in his integrity and character, both as a judge and as a citizen: Therefore be it

Resolved by Memphis Post, No. 1, of the American Legion, That we hereby express our sincere confidence in the unimpeachable character and integrity of Judge Harry B. Anderson, judge of the United States District Court for the Western District of Tennessee; be it further

Resolved by the Memphis Post, No. 1, of the American Legion, That a copy of these resolutions be forwarded to Judge Harry B. Anderson, and a copy of the newspapers published in Memphis, Tenn.; be it further

Resolved, That a copy of this resolution be spread upon the minutes of this organization."

The Commercial Appeal of Memphis had on its editorial page on March 13 the following splendid review of Judge Anderson's work on the Federal bench:

GOOD CITIZEN AND A GOOD JUDGE

Judge Harry Anderson enjoys the respect and confidence of this community. He has as many friends as any man in Memphis.

He has never been guilty of an unkind or ungenerous act. He never harmed a human being.

His every impulse is to be charitable and generous.

He carried to the bench a compassion for human frailty and a sympathy for the weakness of his fellow man.

He is a human judge who has never assumed the rôle of infallible justice.

He realizes that he is liable to error, and has been careful to see that his errors were on the side of mercy.

A Federal judge possesses arbitrary powers. Instead of being arbitrarily tyrannical, he has been arbitrarily merciful.

It may be out of line with judicial authority to consider the poor and destitute family in determining the penalty for a half-pint offender, but Judge Anderson has looked beyond the prisoner at the bar to the consequence of long-term imprisonment on the innocent and unoffending. If this be judicial error, he is guilty, and the public applauds him for it.

Perhaps there are irregularities in the different departments of the court, but it can not be said that Judge Anderson has failed to maintain the dignity of the court and the respect and confidence of the public.

We know him as a splendid citizen and a good judge. It will be difficult to convince any unprejudiced individual to the contrary.

Mr. LA GUARDIA. Mr. Speaker, I crave the indulgence of the gentleman from New Jersey [Mr. BACHARACH], who is to be recognized next. I ask unanimous consent that I may address the House for five minutes.

Mr. PARKER. I shall have to object to that. I have a bill that I want to get up and conclude to-day.

Mr. LA GUARDIA. Will the gentleman let me have three minutes?

Mr. PARKER. I will not object to three minutes.

Mr. LA GUARDIA. Mr. Speaker, I ask unanimous consent that I may address the House for three minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. LA GUARDIA. Mr. Speaker and gentlemen, the gentleman from Tennessee makes a most temperate defense of his friend, Judge Anderson. I admire him for it. I am sure the gentleman from Tennessee can not classify me as one of his enemies, because I know nothing of the political situation in Memphis. But the various apologies and explanations made by the gentleman from Tennessee would indicate that Judge Anderson would welcome an investigation.

All I have done to date is to take the information which has been coming to me for the past 10 months. I have been waiting patiently for the Department of Justice to act. I introduced a resolution asking the Department of Justice to submit all of the information it has to the Committee on the Judiciary. As the gentleman from Tennessee stated, these rumors, this gossip, if you please, has been going on for six months. It is in the interest of the Federal courts that when there are such charges and such accusations we should proceed with a thorough investigation.

If the judge is absolutely innocent, as the gentleman from Tennessee suggests, I would be the first to say that no further action is necessary. If he is guilty, I shall do all within my power to carry out my constitutional duty as a Member of this House.

I am one who does not believe in the infallibility of Federal judges. When I have information concerning the misconduct of any judge, I am going to bring it to the attention of the House and the country.

TAX REFUNDS

The SPEAKER pro tempore. Under the special order, the Chair recognizes the gentleman from New Jersey [Mr. BACHARACH] for 20 minutes.

Mr. BACHARACH. Mr. Speaker and gentlemen of the House, on Friday last the gentleman from Texas arose in this House and in his usual likable manner and without any too great regard for the facts proceeded to castigate the Treasury Department and the Republican members of the joint committee on taxation on the subject of tax refunds in general but with particular reference to the refund of \$33,000,000 to the United States Steel Corporation.

Before I proceed further I want to direct your attention and the attention of the country to the membership of this joint committee. Now, who are the great men and from what States do they come who represent the Democratic Party on that committee? Why, the gentleman from Texas [Mr. GARNER], whose State pays 1½ per cent of the Federal corporation tax; the Senator from Mississippi [Mr. HARRISON] and the gentleman from Mississippi [Mr. COLLIER], whose State pays 0.1 of 1 per cent of the corporation tax; and the Senator from North Carolina [Mr. SIMMONS], whose State pays 1½ per cent of the corporation tax.

I have observed that when the Democratic Party looks for a presidential candidate it goes to the States of New Jersey, New York, Ohio, and West Virginia, not to the State of Texas, not to the State of North Carolina, not to the State of Mississippi, where in the last election there were less votes cast in all of the eight congressional districts combined than were cast in my own congressional district. The great State of New York, the largest taxpaying State in the Union, with a representation of 22 Democratic Members in the House and 2 United States Senators, has no representation on this joint committee.

Of course, we Members of the House who have been here for some time know that the gentleman from Texas [Mr. GARNER] has a particular antipathy for the Secretary of the Treasury and for any recommendation that comes from him or his department. As a result of this, his dislike even for the name of "Andy" has become so fixed in his consciousness that he actually refuses to listen in on the nightly broadcast of "Amos 'n' Andy." [Laughter.]

In the course of his remarks the gentleman from Texas [Mr. GARNER] stressed the fact that during the hearing on the matter of this refund to the Steel Corporation there was only one Republican member of the joint committee present, and to emphasize this his colleague from Mississippi [Mr. COLLIER] interrupted him to make this observation:

Mr. COLLIER. The Joint Committee on Internal Revenue is composed of five Members of the House and five Members of the Senate, and it is empowered to scrutinize these refunds. I want to ask the gentleman if he does not recall that during the entire time of the hearings there was not present a single member on the majority side of the other body, and during at least 85 or 90 per cent of the hearings—which were held to pass on a refund of \$33,000,000 to the greatest taxpayer in the United States—there was only one member of the majority present, and now, as a boast to ourselves, I would like the RECORD to show that the gentleman from Texas and myself were present during the entire hearings. Am I not right in my statement?

To which the gentleman from Texas [Mr. GARNER] replied:

The gentleman is correct.

Now, what are the facts and circumstances surrounding that particular meeting of the joint committee? On Wednesday, March 5, not on Saturday, March 8, as stated by the gentleman from Texas [Mr. GARNER], the chairman by personal letter to each member of the committee called for a meeting of the committee on Tuesday, March 11, and at the same time transmitted to each member of the committee a preliminary report on the Steel Co.'s case, prepared by Mr. Parker, chief of staff. The committee members therefore had six days prior to the meeting in which to go over the record and acquaint themselves with the facts.

If the gentleman from Texas did not give any attention to the letter from the chairman and the report which accompanied it until the 8th of March, apparently he has been a little lax in his duties, for the letter and report were delivered to his office by special messenger on the 5th.

Of course, I do not need to remind the Members of the House that on Saturday, March 8, the country received the sad news of the death of one of its most distinguished citizens, the former Chief Justice and President of the United States, William Howard Taft.

So that when the joint committee met in the office of Chairman HAWLEY at 10 o'clock on Tuesday, March 11, within a distance of about 500 feet the body of the former President and late Chief Justice of the United States, was resting in the rotunda of the Capitol, in order that the people, of whom he was so greatly beloved, might have a last opportunity to view his body and pay their respect.

The House and Senate adjourned on Monday until Wednesday as a mark of respect, and as a further tribute, the President ordered the several departments closed at noon and practically all business in the city was suspended at the hour of the funeral. I am not certain, but I think that I am safe in saying that the joint committee was the only committee of the Congress that was in session on that day.

The gentleman from Mississippi [Mr. COLLIER] mentioned the fact that there was not a single member of the majority side of the joint committee from the other body present at the meeting on March 11, and I merely want to call your attention to the fact that Senator SMOOR and Senator WATSON were members of the funeral party on the part of the Senate, and, of course, Senator REED is in Europe and could not be present. I might also state that both the gentleman from Texas [Mr. GARNER] and the gentleman from Mississippi [Mr. COLLIER] were members of the funeral committee on the part of the House.

When we met on that day I suggested to the chairman that it would be proper for the committee to adjourn its meeting out of respect to the memory of Mr. Taft, but he stated that he thought the meeting would last only a very short time, and for that reason we should go on with it. I told him that so far as I was personally concerned, under the circumstances, I would not remain at the meeting for more than an hour, and the gentleman from Massachusetts [Mr. TREADWAY] also stated that he would leave before 11 o'clock. When it was time for me to leave I stated to the chairman that I approved of the refund, and he could so record me. Senator HARRISON stated to the chairman that Senator SIMMONS could not be present on account of his state of health, but had given him authority to cast his vote.

On the following day, March 12, the joint committee met again, and at that meeting there were present the chairman [Mr. HAWLEY], the gentleman from Massachusetts [Mr. TREADWAY], the gentleman from Texas [Mr. GARNER], and the gentleman from Mississippi [Mr. COLLIER]. I was out of the city because of a previous engagement and could not attend. The Senators on the committee, of course, were very much taken up with the tariff bill and could not be present.

It is true that I was not present at that meeting, because I had asked the chairman of the committee to excuse me. It was necessary for me—and it is frequently necessary, having a district within three hours and a half of Washington—to be occasionally at home to consult with my constituents. Of course, if I were situated as are the gentleman from Mississippi and the gentleman from Texas, with a constituency at a great distance from the city of Washington, I realize it would be quite difficult for me to visit my district as often as I do. It is true, as I say, that they did meet with the committee on that day. It is also true that I did ask the chairman of the committee to excuse me.

Now, although much has been made by the gentleman from Texas [Mr. GARNER] about the absence of the Republican members of the committee when this refund was agreed upon, there is really nothing in that to be concerned about, and there was absolutely no reason why there should have been any prolonged discussion on the subject.

What are the facts about this refund to the United States Steel Corporation? If I may have it, I want the close attention of the Members of the House.

This refund covers the years 1918, 1919, and 1920. Most of you will remember that in 1928 we made a refund covering the year 1917 to this same corporation. The same state of facts that were considered for the year 1917 were involved in the settlement for the years 1918 to 1920, inclusive, covered by this refund.

A very intensive audit by the Internal Revenue Bureau covering this return has been going on for the past six years, and the result of that audit has been under investigation by the committee's chief of staff, with five additional experts for the past 35 days. This same staff had previously investigated the 1917 refund for six weeks; moreover, it so happens that the chief of our staff had previously studied the amortization claims of the taxpayer, and the report on this examination covered 216 printed pages of a former select Senate committee report.

It was of no surprise to these experts nor to the members of the joint committee that there would be a refund of these proportions due to the Steel Co. for the years 1918 to 1920. As a matter of fact, Mr. Parker, the chief of staff, in his letter to the chairman of the joint committee, transmitting his preliminary report, stated as follows:

It will be recalled that the joint committee met in December, 1928, to consider a refund to this same corporation for the taxable year 1917 in the total sum, including interest, of \$25,856,361.14. At that time a refund for the years 1918 to 1920 was predicted which was of the approximate magnitude of the refund now in fact proposed.

So you will see that as far back as December, 1928, the joint committee had notice from its chief expert that there would probably be a considerable refund due the Steel Co. on the same state of facts for the years 1918 to 1920, and it is worthy of note to point out to you that the two amounts so closely approximate each other.

The Joint Committee on Internal Revenue Taxation was created under the act of 1926 for the purpose of investigating all refunds allowed to taxpayers by the Treasury Department. Mr. Parker, the chief of staff of the committee's experts, was formerly the chief investigator for the select committee of the Senate, headed by Senator COUZENS, of Michigan, which made a very thorough investigation of the Internal Revenue Bureau and its methods of making refunds, and so forth. Of course, Mr. Parker is supposed to be neutral in rendering his reports,

but from my knowledge of his work and his previous experience I would hazard the guess that if he had any bias whatsoever in the matter, it would not be on the side of the Steel Co.

The able minority leader did not state all the facts which are necessary in properly considering the subject which was before the joint committee, with the result that a very imperfect picture of the true situation has been placed before the House by the remarks of the gentleman from Texas [Mr. GARNER].

It seems fitting therefore to supply some of the most important facts which were omitted from the discussion on Friday. In the first place, consider the refund to the United States Steel Corporation. This corporation is composed of approximately 195 corporations which report and pay their taxes as a unit. If the refund of \$33,000,000 had been returned to each corporation, we would have an average refund per corporation of only \$170,000, a sum which would cause no comment.

It is also absolutely essential in considering this refund to keep in mind the magnitude of the taxes paid by this group of corporations. For the three years 1918, 1919, and 1920, which are the years for which the refund is made, the Steel Corporation paid the enormous sum of \$333,359,986 in taxes. Of this amount \$21,555,358 is now being refunded, leaving a final net tax collected of \$311,804,628. Thus it can be seen that the tax adjustment is less than 7 per cent. It is true that in addition to the \$21,000,000 of principal refunded there is also paid to the corporation \$12,000,000 in interest. As to the interest, two facts should be noted: First, the Government has had the use of the money for 10 years, and, second, the Steel Corporation will be taxable on this interest in its 1930 return and will pay a tax thereon of approximately a million and a half dollars.

The original tax reported by the Steel Corporation for the years 1918, 1919, and 1920 amounted to \$303,936,509. The final tax collected is nearly \$8,000,000 more than this original figure. If it were not for the fact that additional assessments of some \$29,000,000 were made and paid by the corporation, the Government would now be collecting \$8,000,000 from the corporation instead of refunding \$21,000,000.

The policy of the Steel Corporation was to pay all additional assessments, regardless of their inaccuracy. In fact, in making these particular additional assessments the department knew that they were using tentative figures, but considered the assessments necessary to protect the interests of the Government.

In view of the fact that it has taken years for the courts to even partly define our complicated income tax act, it does not seem at all surprising that adjustments of 7 per cent will be necessary, as in this case. In fact, it will be noted from the refund report now being considered by the joint committee that tax adjustments are sometimes necessary to the extent of 80 per cent of the original amount returned.

When the magnitude of the tax paid by the corporation is kept in mind, together with the numerous changes put on the interpretation of the law by the courts and the fact that tentative and inaccurate additional taxes have been assessed and paid, I can see no reason for suspecting that the refund to the Steel Corporation is not entirely just and proper.

The second subject discussed by the gentleman from Texas [Mr. GARNER] was in regard to tax refunds in general. The first thing he worries about is the large amount of refunds to persons in Pennsylvania. He forgets that refunds are bound to be somewhat proportionate to the amount of tax paid. The State of Pennsylvania in 1927 paid about 10 per cent of the total corporation tax, and that does not include the tax of the Steel Corporation, which has its main office in New York. The States of Pennsylvania and New York together pay about 40 per cent of the total corporation tax. The State of Texas, as I stated previously, pays only 1½ per cent of the total corporation tax. It is perfectly obvious that the larger amount of refunds will go to those States that pay a big tax, not to those who pay a small tax.

I read in a newspaper, after Mr. GARNER's speech, in reply to an inquiry whether there had been refunds in certain States like the States of Texas and Oklahoma, it was stated that there was no oil company in the State of Texas to which a refund was made. I want to call your special attention to that, for I note in this year's report on refunds that the United North & South Oil Co., of Luling, Tex., received a refund of \$293,604, which represented a reduction of almost 88 per cent of the total tax assessed. Relatively, which looks worse, an 88 per cent reduction to the Texas concern or a 7 per cent reduction to the United States Steel Corporation? Of course, I do not make any criticism of this 88 per cent reduction, because I have confidence in the department and in the staff of our joint committee. I know also that I voice the sentiment of the gentleman from Texas that he has confidence, too, in their integrity.

The gentleman from Texas [Mr. GARNER] also worries about a refund to the Baldwin Locomotive Works because it covers the

years 1912 to 1922. He seems to think that the years 1912 to 1917, at least, should be barred on account of the statute of limitations. Yet he must know that Congress itself is responsible for this situation, for by enacting section 252 of the revenue act of 1921, under certain circumstances all income-tax years are made subject to correction regardless of the statute of limitations.

In conclusion, I must confess that any general criticism of the refund situation seems out of place at this time. The report on refunds for the whole calendar year 1929 is in the hands of the Joint Committee on Taxation and is summed up by Mr. Parker, chief of its staff, as follows:

1. The rate of overassessment has decreased 58 per cent for the calendar year 1929, over the rate for the preceding 7-month period.
2. No serious question can be raised as to the propriety of the allowances consummated.
3. The department has cooperated in every way with the staff and is making a review of two cases where certain questions were raised.

In view of the fact that the staff of the committee has not been afraid to offer constructive criticisms of the department in the past, I give great weight to the statements made by Mr. PARKER, and am convinced that the general situation in regard to tax refunds is satisfactory. [Applause.]

The SPEAKER pro tempore (Mr. ACKERMAN). The time of the gentleman from New Jersey has expired. Under the special order the Chair recognizes the gentleman from Texas [Mr. GARNER].

Mr. GARNER. Mr. Speaker, I ask unanimous consent to proceed for 20 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GARNER. Mr. Speaker, I expected to get some information from the gentleman from New Jersey [Mr. BACHARACH]. That is the reason I asked for a little time, in order to make reply. But outside of the demonstration of the fact that he has the same idea concerning the Southern States, especially Mississippi and Texas, as Pennsylvanians have about the Western States—that is to say, that they are somewhat backward and should have no voice on committees—I have received from his address no information on the question of the refund of taxes.

Evidently the gentleman from New Jersey has had a consultation with Uncle Andy and Brother Ogden. The written portion of his address sounds as though it might have been prepared in the Treasury Department. I do not say so direct, but the language in the part that he read runs along just as the language used by the Secretary of the Treasury in his reply appearing in Sunday's papers. I can only infer it from that circumstance, that it is the language used by the Secretary of the Treasury in his reply.

Mr. BACHARACH. Mr. Speaker, will the gentleman yield there?

Mr. GARNER. Certainly.

Mr. BACHARACH. So far as I am personally concerned, or so far as I know, I have not been to the Treasury Department or consulted them.

Mr. GARNER. Then you must have a very apt clerk. I congratulate you on having a good clerk. [Laughter.]

Gentlemen of the House, nothing that the gentleman from New Jersey can say and nothing that the Treasury Department can say takes away the outstanding facts concerning this tax refund; and the chief fact is that one taxpayer of this Nation, the United States Steel Corporation, gets a refund over a period of four years of \$98,000,000. That is the most efficient corporation in the world—the United States Steel Corporation. It does not take away from the fact that last Saturday the Treasury Department sent the Steel Corporation a check more than one hundred thousand times greater than the average taxpayer of the United States pays. Think of it! With over 2,000,000 taxpayers. From over 1,800,000 returns of taxpayers the Government collected \$2,000,000 less than they refunded to one single taxpayer—the United States Steel Corporation.

Mr. BACHARACH. It did not include the amount paid by the United States Steel Corporation in additional taxes.

Mr. GARNER. If you go back a year ago, you will find that I showed the reduction of their first rendition. They got a final reduction in that first rendition of more than \$32,000,000. The return was frankly made. Nobody coerced them into making it. They ought to have good bookkeepers. Do you suppose that that vast corporation, composed of about 190 subsidiary corporations under one head, was not able to make an accurate report?

I do not want to criticize the gentleman from New Jersey [Mr. BACHARACH] with reference to his duties on that commit-

tee, and the only reference made to it was when my friend from Mississippi [Mr. COLLIER] referred to it only for one purpose, and that was with reference to the joint committee, controlled by six Republicans as against four Democrats, that they did not look into these matters and never intended to look into these matters.

It was all a formality. There was no occasion for the gentleman from New Jersey not to remain in Atlantic City. It would have been the same if he had been here and if the gentleman from Massachusetts had been here. Mr. HAWLEY knew he could depend on his vote and on Mr. TREADWAY's vote. So you both left your proxies with him. I venture the assertion that before we met you never read the report.

Mr. BACHARACH. In your statement of last Friday concerning the Ways and Means Committee you said you had received the report.

Mr. GARNER. I made the statement I received it on the 8th, and I received it on the 5th. I made that mistake. Did you read this report in full?

Mr. BACHARACH. I read it pretty much in full.

Mr. GARNER. Yes; you read it pretty much in full! [Laughter.] It was not necessary, I repeat, for you to be there, because it was a mere formality, for Mr. HAWLEY knew you were going to O. K. this transaction. Only one Republican on that committee failed last year to report this, and that man, a Senator, is in Europe now. He declined last year to vote to approve it.

Everybody knew you were going to approve it. You merely made a gesture; that was all. It makes no difference what they send down here or what Uncle Andy tells you to do, you will do it. But I will say that the gentleman from New Jersey [Mr. BACHARACH] is not quite as obedient a child as the other two Members. [Laughter.]

Mr. BACHARACH. I thank the gentleman for that.

Mr. GARNER. I was surprised when my genial friend took it upon himself to answer for the Treasury Department to-day. I notified my bombastic friend from Massachusetts [Mr. TREADWAY] [laughter] that I was going to talk about this matter, and I expected him to reply; because, as I understand it, you look upon him as your leader in all taxation matters on your side of the House. I have drawn the inference from what I have heard that the Republican organization looks upon the gentleman from Massachusetts [Mr. TREADWAY] in that way. The fact that he cut an intestine some weeks ago might keep him off the floor for some time. I would think you would keep him off the floor in view of the fact that he ruined the administration's version of the loss of the election in the second Massachusetts district. [Laughter.]

Mr. Speaker, this is not the only case. Let me show you what the Treasury Department is doing. I requested the chairman of the committee to permit the secretary of the joint committee to send me a list of these abatements and refunds as they came in. I have received a statement from Mr. Parker, and among other things is an abatement made on the 14th of March, to John D. Rockefeller, of New York, \$356,378.32, refund for taxes paid in 1917.

Heretofore I have not called anything to your attention except corporations, where there was some difficulty in arriving at the amortization, or interlocking companies. But now we have one individual taxpayer. And it has taken 10 or 12 years to find out what Mr. Rockefeller owed the Government.

I wonder how much they amortized the old man in making this calculation; \$356,000 from the 1917 taxes. That old fellow permitted Uncle Andy Mellon to keep that for 12 years without giving it up. Gentlemen, do you know how much money that is? I understand he has quit giving away dimes and is giving away Buffalo nickels now. That is more Buffalo nickels than he could give away in the balance of his life if he lived a hundred years. That is over 7,000,000 Buffalo nickels that you are giving back to Deacon Rockefeller at one time.

Uncle Andy had to take care of Pennsylvania. The Pennsylvania Rapid Transit Co., Philadelphia, Pa., was allowed \$1,721,000, on the 14th of this month. I told you Pennsylvania was the main State.

But that is not all. It shows you the trend of the Treasury Department. Not later than yesterday you will recall having read in the newspaper that the Treasury Department has begun to promote education. The article in the newspaper is headed thus:

LONGWORTH heads list of patrons of new venture.

I wondered what that venture was, because I love to keep up with what Nick is going to do, so interesting is he. I discover that it is the promotion of grand opera in the city of Washington, and I find associated with him Uncle Andy Mellon, Mr. BACON, of New York, and Mr. BLOOM. So the firm would be, as

I understand it, in order to have strength in the middle, "Longworth, Mellon, Bacon & Bloom." [Laughter and applause.]

Now, how are they going to promote it? It just shows you the tendency of the Treasury Department. They have nothing in their minds except wealth and the exemption of wealth from taxation, so far as they can. Grand opera! Educational!

Secretary Mellon, 74 years old, is going to be educated. And in order to encourage that education he is going to exempt everyone purchasing a ticket from paying the tax on the same. When Mr. LONGWORTH puts his name on the guaranty and they lose \$10,000 by virtue of this venture, Mr. Mellon tells him in advance, "I am going to permit you to deduct that from your income tax because you are promoting education in this country." [Laughter.] God knows you and Andy need it. [Laughter.]

Education! Who is to be educated? Uncle Andy, Brother Ogden, Sir Nicholas, and Mr. Bloom. [Laughter.] Ah, sir, it would be something to laugh at if it did not tend to show how anxious the Treasury Department is to cater to wealth at the expense of the people. Are you going to give me a deduction for the ticket I buy to the spoken drama or Shakespearean play to get education? Nothing is said about that. Four or five thousand people perhaps attend grand opera. They will be all the way from 21 years to 75 years old; and Uncle Andy. In order to encourage that particular class of education the Treasury Department issues a notice to the public and to the world, "Buy tickets; underwrite the enterprise, and we will give you a deduction on your income tax."

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. GARNER. I yield.

Mr. SCHAFER of Wisconsin. Is the gentleman going to consider reading out of the party the gentleman from New York [Mr. BLOOM] because he has taken part in the transaction?

Mr. GARNER. Oh, no; we are glad we have one Member who can get in. We Members over here are too poor. We look on the gentleman from New York [Mr. BLOOM] with a degree of pride that he was included in this great and noble venture.

This morning I also got a notice of another refund that might be interesting to you gentlemen—\$2,542,304.59 to the Eastman Kodak Co.

Now, gentlemen, I am contending for two things. One is that if I were the Secretary of the Treasury I would insist that one of the cases involving various and sundry questions be taken to the Supreme Court of the United States. I would insist that one of the refunds be taken to the United States Supreme Court to determine some of these questions. That is my first proposition.

My second proposition is that in view of the stupendous amount refunded, in view of the fact that Mr. Mellon, since he has been the Secretary of the Treasury, has given back nearly \$3,000,000,000 to the American taxpayers, I would say to the Congress of the United States: "There has been a lot of criticism in and out of Congress about my action in this matter. The doors are open. Send a committee from the House and Senate, or elsewhere, so long as they are official and responsible, and investigate my books and see whether I am conducting this office as it should be conducted."

Is there anything you are afraid of? Are you afraid to trust these men to come up and look at it? There has not been any investigation by the House of Representatives, whose duty it is under the Constitution to raise this revenue and to initiate revenue bills. They have not had a single look-in in 10 years. If the Secretary of the Treasury is so anxious about it, as he seems to be in the newspapers and through his spokesman on the floor of the House, he would undoubtedly say to the House of Representatives: "I welcome you with open arms. Come and look in. We are clean. We are running this as it should be run. We are proud of it."

Instead of that, he closes the doors and says, "No man can come and look in for himself."

That is what I complain of, and it is wrong in principle. The Speaker of this House and his Republican organization ought to get together and think seriously about making an investigation of the Treasury Department, with a view of giving the people of this country renewed confidence in it.

Why, five or six years ago, if I had made the same kind of a speech I made the other day, Uncle Andy would have paid no attention to it; but he went so far on Sunday as to let them quote him. Maybe the old fellow is getting old. He can not be getting thin-skinned, because it would take a long time to scrape the hard shell off of him. But he is evidently getting weak. Maybe Brother Ogden is urging him along.

Whenever you get a combination between Mellon and Mills you have two great combinations, made up of the very capable, far-reaching, and far-sighted intellect of the Secretary of the Treas-

ury and that wonderful capacity of the Undersecretary of the Treasury of making white look black and yellow look red.

Do you not remember that two years ago, or maybe it was three, Mr. Mills came on the floor of the House and told you they had to have \$160,000,000 at once to buy all the liquor in the United States, in order to properly enforce prohibition, and he had Bishop Cannon at his right hand?

The SPEAKER pro tempore. The time of the gentleman from Texas has expired.

Mr. GARNER. Mr. Speaker, I ask unanimous consent to proceed for three additional minutes.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. GARNER. After he had presented the facts I went on the floor of the House, if you will remember, and cried "Thief." The proposition had the approval of the Treasury Department and the approval of Mr. Mellon. We had a hearing on that bill. It was backed by the Anti-Saloon League; it was backed by every organization in this country for temperance, so far as I know, and by those against the eighteenth amendment. Before we got through with that hearing the bill was withdrawn. The very first question I asked these two gentlemen when I had the pleasure of meeting them in their offices when I came back at the next session was, "What are you going to do about the liquor bill?" And they said, "We are not going to do anything more about it. We are through."

Then you remember that when we started to settle the alien-property business Mr. Mills told you how beautifully it could be done. He introduced a bill and was going to settle it at the expense of \$280,000,000 of the American people's money. The plan was to issue bonds, pay American claimants, take the I. O. U. of Germany, and then the whole thing could easily be settled, just as long as the people paid the bill. I again cried "Thief." When I did it on that occasion I drew the attention of the gentleman from New York, Mr. Mills, to the fact that he was personally interested in an item of approximately \$240,000 out of this money, and that it was not right for him to appear in advocacy of the bill.

So he withdrew from any further participation in that proposition. Mr. Mills is one of the greatest artists this country has ever known when it comes to making things look feasible and making things look right. You know, he can even make many well-meaning Republicans believe he is right. It is a fact that he caught me two or three times. He is honest looking; he is honest talking; and I am confident he is absolutely honest in what he believes. That kind of a man, you know, is dangerous, especially when he has the backing of a man like Uncle Andy.

I call on you, Mr. Speaker, to take under consideration, you and your steering committee, the advisability of selecting a committee, made up of the best men we have here, to investigate the Treasury Department. I ask you to give them ample power and ample funds; give them a competent lawyer, a competent accountant, and a competent engineer, all of whom are necessary in making an investigation of these things. Let them make this investigation and come back and report to this House; and if they can conscientiously report that the Treasury Department has been run honestly, efficiently, and impartially for the last 10 years, it will be the most glorious fact we could possibly find. I would be as happy a man as there is in the Nation. I want the people of this country to have confidence in both the executive and legislative branches of the Government; but you are losing it in the House of Representatives because the joint committee is approving these things without any knowledge of them. I protest against it and I will continue to protest against it as long as I am able to stand on the floor of the House and can get the opportunity to do so. [Applause.]

COAL

The SPEAKER pro tempore. Under the special order of the House the Chair recognizes the gentleman from Pennsylvania [Mr. BRUMM] for 45 minutes.

Mr. BRUMM. Mr. Speaker, at the outset may I ask the usual courtesy requested by Members who have reserved time, and that is that I be not interrupted until I finish the main part of my remarks.

Mr. Speaker and Members of the House, before I address myself to the real purpose of my remarks this afternoon, may I premise them with the statement that I do not rise before you to-day as a partisan. I do not for the time being care to be associated with any particular economic thought as affected by political or geographical lines. I should rather that I may address the Members of this House as one who is seriously interested in my own home State and in particular the district which I have the honor to represent, its industries, and the welfare of the people.

I shall endeavor to lay before you in all candor and fairness a most serious situation, through a course of contemporary events, which strikes at one of the most basic industries of the land, striking at its very existence, and which is a blow to the dignity and to the self-respect of every laborer engaged in this industry and consequently to every laborer wherever found.

For the last few weeks, Mr. Speaker, there was exhibited in this city a most powerful moving picture demonstrating the cause of the fall of the German Empire. It portrayed most graphically that the war lords of Germany, in their desire to win the war had inflicted willful and unjust punishment and death upon a simple Russian peasant.

The wiser heads of Germany recognized, then, that they were taking the soul out of the German Government and that its days were numbered. As they prophesied, so did the proud imperial power of the great German nation topple and fall in the way of all empires.

So, Mr. Speaker, we, as Americans of this present day, in the light of our history, know that our people as a whole have learned through the vicissitudes of a terrible Civil War and the most bitter experience that the welfare of our great Nation, its prosperity and its permanence, are dependent upon the indissoluble unity, economic as well as political, of its several parts. No political unit, however small, is too little to demand the highest consideration and justice from the rest, and no section or part or parts can willfully, either by legislation or otherwise, inflict a wrong upon even the smallest without shattering the stability of the whole fabric and, if persisted in, the end will be but a matter of time.

This is the lesson of 150 years; and, believing as I do, that you accept it as a self-evident verity, I have the conviction that the honorable, patriotic Members of this House will receive with fair consideration a most just cause, and I hope and cherish the thought that I may make it, in a sense, your own.

Mr. Speaker, I have thus addressed you for this reason. For a few years back it seems that both branches of the Congress, whether consciously or unconsciously, are aligned along sectional lines, and, while we regret it, prejudice seems often to replace reason, and personalities which may be applied as well to a State as to people, often have taken the place of sound argument.

As I read almost daily these persistent references, innuendoes, and sometimes direct charges, particularly in yonder Chamber, against my own fair State and its officers, and I ponder on what I know to be the shortcomings of some others, I am impelled irresistibly to recall the famous answer of the Savior when the Pharisees tried to enmesh him in the temple by asking him to pass sentence on an immoral woman who had been caught in an illicit act. To their great surprise he said, in effect, if this woman has broken the law, by the law shall she be punished, and let him who is without sin cast the first stone; and, Mr. Speaker, while the rains descended and the floods came, you know very well there were no stones cast that day.

Criticism, Mr. Speaker, is always very easy and awfully cheap and invariably is the weapon of demagogues and iconoclasts, but broad-minded, constructive statesmanship is a task for philosophers, and while prejudice and jealousy are but the emanations of shallow minds, broad-minded charity and justice are the very essence of statesmanship.

Towers, Mr. Speaker, are measured by their shadows, and great States, like great men, are measured by their slanderers. I veritably believe that if the sons of my State should care to retaliate in kind, they could crush their detractors like I might crush an eggshell in the hollow of this hand.

So, Mr. Speaker, for the reason that I come from the great State of Pennsylvania, the history of which makes it fill so potential a niche in the establishment and in the maintenance of this great Nation, I hope I shall not be met at the threshold, as two of our legally constituted representatives were, by sectional prejudice, but that the cause which I humbly espouse may be received upon its merits and treated with fairness.

Mr. Speaker, at the close of the eighteenth century or the beginning of the nineteenth, when an old pioneer of the Blue Mountains of Pennsylvania, in attempting to rid his fields of trees, had ignited a stump and discovered that after the wood had burned the black stones, as he thought, which surrounded the roots, burned with a bright glow and with excessive heat, and he had transmitted his discovery to his friends and neighbors, he had then taken the first step in establishing what, perhaps, is the most basic industry of the United States.

We can hardly conceive of any industry that does not utilize fuel at some time or in some shape, and coal, for over a hundred years, has been recognized as the almost universal fuel not only for manufacturing but for domestic purposes, at least in the congested sections.

The building up of this great industry, particularly confined to the mountains of eastern Pennsylvania, had attracted thousands upon thousands of people from all over the United States and even from Europe, and notwithstanding the cosmopolitan make-up, from them has grown a citizenry which compares more than favorably with the labor of any industrial section throughout the world. No braver people, more industrious, more patriotic ever trod the soil of America than the miners from the mountains of Pennsylvania. [Applause.]

When the integrity of this Union was at stake, the first defenders to rally to Lincoln's call were the miners from Schuylkill County, and with all due respect to the patriotic State of Massachusetts, and notwithstanding what historians have said and may continue to repeat, I say here that the first volunteers to reach the United States Capital at the call of Abraham Lincoln were the coal crackers from my home town [applause], and for want of better accommodations they marched up the west stairway of this Capitol and bivouacked on the stony floor of yon Rotunda. [Applause.] They sealed their patriotism with their blood on many a gory battle field of the South, and from what I have learned here and elsewhere, I believe my southern brothers had no more respect for any Union soldier than they had for the boys from Pennsylvania.

In every emergency they have stood up, and in the dank fields of Flanders, nigh the battle fields of Chateau-Thierry, the Argonne, Belleau Wood, and on the Marne, where the rows of whitened crosses mark their place, no greater numbers or prouder achievements, mark the toll of our honored dead, than the hallowed glory that enshrines forever the memory of these noble sons of Penn. [Applause.]

These are the people that I represent; these are they whom I ask this House to have consideration for. Politics, notwithstanding, I ask for fair and just treatment and I have faith enough in the Members of this House to believe that I shall in a sense receive it.

Until a few years ago the great anthracite mining industry grew up by leaps and bounds. It was in its very nature a natural monopoly being confined to a limited area, and while we had many industrial troubles, which was perfectly natural through conditions that might arise in any other locality similarly situated and not confined to that particular region and while labor was highly paid, according to the views of outsiders, when the character of their employment is understood, they receive nothing exorbitant and, in fact, not near enough considering the hazards of their employment, to say nothing of the short life of the average miner.

I might take Members of this House to my home town and introduce them to men of my own age with whom I went to school who would appear to be years my senior through the almost universal contraction of miners' asthma which is the gradually filling up of the lungs with the fine silt which fills every crack and cranny of the mine, so that at the age of 45 or 50 they apparently look old and decrepit.

Then again the employment is peculiar and uncertain. The mines are not operated like a factory; they do not work every working day, they have been accustomed to operate until a certain amount is produced and stored and then they shut down and wait until there is a new demand. These interruptions, however, do not seem to drive labor away but they seem contented with the conditions there. The result is that we have been proverbially one of the most prosperous regions in the country. Until 1925 and 1926 such a thing as advertising anthracite coal, except by the retailers, was almost unheard of. Anthracite coal sold itself and needed very little advertisement. But in 1925 and 1926 through the most natural causes a great strike was brought about and they were shut down for about six months.

During this time the consumers unfortunately were compelled to resort to substitutes. In the past they were able to get back these markets, but American inventive genius had in the meantime perfected bituminous burners, oil burners, and had cheapened fuel gas so that this suspension afforded a glorious opportunity for the promoters of substitutes to introduce these new furnaces, so that for the first time in the history of the industry anthracite coal had real competitors.

But as the old adage has it, "It never rains but it pours." At this most inopportune time a peculiar coincidence took place. I remember very distinctly when I graduated from the University of Pennsylvania, at the request of my professor, I submitted a thesis on anthracite coal.

I remember looking up my data in the Geological Survey and the reports of the bureaus, and I found that the only place in the wide world where anthracite coal was produced was in the eastern Pennsylvania district. This was a generally accepted fact. However, within the last few years I have learned of a coal that is almost identical, at least for practical purposes,

to the Pennsylvania anthracite, that was discovered in the mountains of Siberia.

As ill luck would have it, just at the time when our owners, our miners, and the public had realized that they had to move to restore their industry, and had formed an organization and entered into covenants which will insure peace between the employer and the employed for a long term, and at least minimize the possibility of long strikes and lockouts, and when the operators themselves had renovated their entire plants, installed new machinery, resized their coal, cleansed it, and minimized the slate or refuse, and had produced an article for domestic purposes which will challenge comparison anywhere, suddenly over in Russia the sleeping giant that Napoleon spoke of had not only awakened, but had indeed become rampant, and seemed to have become mad for money; and the great soviet innovation, unable to meet her economic needs because of her untenable government and inefficient industrial system, commenced to mine coal with not only convict labor but enforced labor, working for 17 cents a day, and at an actual loss to the Government this product was shipped as ballast into American ports, so that last year soviet coal, produced under those conditions, was sold in the city of Philadelphia in my own State for less than \$5 a ton, when the cheapest that we could offer it for from my own town, 98 miles away, was \$10 a ton.

On the very best of authority these soviets are simply wild to get their hands on ready money to extend, if possible, their untenable régime.

So, my friends, I discovered when I came to Washington in April last upon my reelection, that in January, 1929, 164 tons of anthracite coal had been imported into this country from the soviet; that in the next month it had jumped to over 17,000 tons, and the following month—March—fell back to 890 tons. In April it was 2,289 tons and in May none; in June, 14,753 tons, and in July, 11,000 tons. In August it was 4,000 tons and in September 11,000, in October 11,000 again, and then jumped in November of last year to 26,621 tons, and in December went back to 13,816 tons, and in January of this year to 10,975 tons, which are the last statistics that the Department of Commerce has on hand for that particular product. So it does not matter what your ideas of economics are, this is a situation which interests us all. I tried to get a hearing before the Committee on Ways and Means last April. I called upon the chairman and he told me that it was entirely too late, as it might open up all of the various schedules, but that I could file a brief. I did so, and finally was given an opportunity before an executive session of the committee in which to present my request for an amendment to the schedule on coal, permitting a tariff on anthracite coal.

Mr. McKEOWN. Mr. Speaker, will the gentleman yield?

Mr. BRUMM. Yes.

Mr. McKEOWN. What is the total output of anthracite coal in the United States?

Mr. BRUMM. Seventy-seven million tons.

Mr. GARBOR of Oklahoma. Is the gentleman able to state the number of tons imported during 1929?

Mr. BRUMM. From all places?

Mr. GARBOR of Oklahoma. Yes; from all sources.

Mr. BRUMM. In January, 1929, 48,343 tons; in February, 54,389 tons; in March, 29,414 tons; in April, 36,768 tons; in May, 28,640 tons; in June, 25,601 tons; in July, 33,417 tons; in August, 24,835 tons; in September, 30,583 tons; October, 29,359 tons; in November, 44,425 tons; in December, 49,206 tons; and in January, 1930, 50,311 tons.

Mr. PALMER. Mr. Chairman, will the gentleman yield?

Mr. BRUMM. Yes.

Mr. PALMER. What rate of duty is sufficient to protect our industry against cheap-labor soviet coal?

Mr. BRUMM. I should think about four dollars or four dollars and a half a ton, possibly five dollars a ton, specific duty, depending upon freight rates. Most of the soviet coal bore no freight at all, so that we would have to make allowance for that. When I found that in the wisdom of the Ways and Means Committee I could not get any solution to this proposition, I immediately called upon Senator REED, from Pennsylvania, who was our only representative in the Senate at that time, and who I have no doubt held his seat only by the grace of God and the oversight of some of his friends over there.

For that reason, possibly needless for me to state, it would be impossible to have coal added to any schedule in our sister body. The prejudice against my beloved State, without which perhaps you and I would not be sitting here to-day, was so great that neither coal nor anything else that emanated from Pennsylvania had a day in court.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. BRUMM. Yes.

Mr. SCHAFER of Wisconsin. With reference to prejudice, I may frankly state to the gentleman that there has been a great deal of prejudice created in Wisconsin against Pennsylvania, particularly with reference to alleged violation of corrupt practices acts, when as a matter of fact those demagogues and hypocrites from my State, who were supported by the La Follette Progressive Republican Club of Milwaukee County, denounced Pennsylvania, when they did not even claim violation of the specific laws, but large expenditures. The election campaigns in their behalf flagrantly violated the corrupt practices acts of our own State in many instances.

In the 1928 primary election in Wisconsin the La Follette Progressive Republican Club of Milwaukee County received from Richard H. Lee, a master lobbyist from New York, thousands of dollars in clear violation of the Wisconsin corrupt practices acts.

In the 1926 primary campaign about \$10,000 was expended without complying with the Wisconsin corrupt practices acts for full-page beer advertisements in behalf of the nomination of a candidate supported by the La Follette Progressive Republican Club of Milwaukee County, which candidate has had much to say about alleged violations of election laws and large election campaign expenditures in Pennsylvania, but who has been silent about Mr. Lee and the beer advertisements [applause] in his behalf.

Mr. BRUMM. The kettle often calls the pot black. So, Mr. Speaker, when the tariff bill returns to this House I hope that I may have the assistance of a large portion of the House in influencing those in charge to permit an amendment to give us some relief. I suppose the parliamentary situation will make it difficult, if at all possible, to put an amendment onto the bill, but I shall certainly use every possible means in my power to have a tariff levied on all importations of anthracite coal, which should be about \$4 a ton.

That would certainly keep out the soviet coal, and would apply to any anthracite from other countries, and I am sure we are all interested in preventing the importation of this product from a country which my friend from Pennsylvania calls the Godless country of Russia. Mr. Speaker, this is not a sectional question. Perhaps every State in the Union inhibits competition of convict labor with that of free American citizens.

It is an insult to every free laborer who earns his bread by the sweat of his brow. It is a blot on civilization. It is inhuman to the Russian convicts and enforced laborers themselves. What? The United States of America, with its proud ideals, cognizant of the sacrifices of the fathers, are they to consent to the sale here of a commodity produced by slaves? It is incomprehensible that any American should stoop to handle a product which he knows emanates in that way.

Siberia! The time-honored scene of the arch tragedies of the world, the very synonym of everything that is unnatural and inhuman. Its glens and its caves, its mountains and its snows, which form its grim visage, if given the tongues of men would unfold a tale that would make America's blood run cold. Are we to compete with that? Siberia, where in our mind's eye, through the imagery of Tolstoi, we can still hear the crack of the driver's whip, we can still see that long line of God-forsaken creatures, we can still see the dead and dying, miserable victims of inhumanity to man.

Mr. Speaker, there is not a Member of this House who can stand up in this body or elsewhere and publicly say that he is willing to stand for that sort of thing. Justice demands that something be done here. Morality abhors it, and expediency, so characteristic of the American mind, will find a way, or the law of retribution will surely visit those who are responsible.

Mr. Speaker, the Federal law already prohibits convict-made products from coming into the land, but it does not stop it; and subterfuges will constantly be used, and the products of convict labor will continue to flow to our shores. The only practical way I can conceive of is a tariff which will absolutely bar these products from Siberia.

After all, we are Americans first, and I have faith enough to believe that no Member of this House will willingly stand for injustice, wherever the injury arises. In the interest of our people, in the interest of civilization, to maintain our self-respect before the world, something must be done to prevent a continuation of this malpractice. It is my earnest hope, therefore, that at the proper time the membership of this House will join with me not only in protecting a great industry and protecting the labor engaged in it but will assist in maintaining the dignity and self-respect of the great masses of our country, who, after all, are the bone and sinew of this great land and who, when compared with others, by their matchless example have dignified honest toil. This is my hope. This is the hope of the laboring masses of America; and, Mr. Speaker, I ask for your help and cooperation. [Applause.]

Mr. Speaker, how much time have I remaining?

The SPEAKER pro tempore. Three minutes.

Mr. BRUMM. I am through, and I simply wanted to call the attention of the House to this message which I have received from the Rev. John Hundiak, pastor of the Ukrainian Orthodox Church of St. George, of Minersville, Pa., concerning a dispatch which he had received from Russia, exemplifying what I have said about that wonderful land of the soviets. I read:

Recent press dispatches from Kharkow, the capital of the Ukrainian Soviet Socialistic Republic, report that the soviet government has arrested Archbishop Vasil Lipkovsky, retired metropolitan, and five bishops of the Ukrainian Orthodox Autocephalic Church. They are to be tried, together with Vladimir Checkovsky, president of the Supreme Council of the same church; Prof. Serge Efreffoff, an eminent Ukrainian scientist; Andrew Nikovsky, a member of the Ukrainian Academy of Sciences, and twoscore other Ukrainian scientists and church leaders.

The charges of counter-revolutionary activities on which those arrested are to be tried are absolutely fictitious, since none of them are in any way connected with any political or revolutionary movements. The penalty awaiting those innocent leaders of the spiritual and scientific life of Ukraine is either a death sentence or long term imprisonment in the unspeakable soviet prisons or an exile into Siberia or on Solovetsky Island.

The Soviet Government has also ordered the Supreme Council of the Ukrainian Orthodox Autocephalic Church in Kieff to disband and has decreed that that church be dissolved and outlawed. The Ukrainian church edifices, among them one that was built by Vladimir the Great in the eleventh century, are being either destroyed or converted into atheistic clubs, granaries, and storage houses.

Religion in general is being suppressed by the Godless soviet régime, and the Ukrainian Orthodox Autocephalic Church is receiving the full brunt of this destructive antireligious mania of the soviet imperialists. Its bishops, priests, and lay members have been subjected to horrible persecutions in the last 10 years. Many have been executed, and even now many of them are imprisoned. The Church of Ukraine has never suffered so much even in times of the invasions of the Tartars and the Turks. The martyrdom of the Ukrainian Christians can be compared only to the martyrdom of the early Christian Church in the times of Diocletian and Nero. We are heartbroken that there seems to be no power on earth which can stop this terrorism being perpetrated by the unspeakable and vile communistic enemies of religion.

In this dark hour when our mother church and religion in general is being crucified we, the members of St. George's Ukrainian Orthodox Church, of Minersville, Pa., appeal to you as our Representative in the United States Congress to ask the Government of the United States and Senator WILLIAM E. BORAH to intercede, if possible, on behalf of the Ukrainian Orthodox Autocephalic Church and its martyred metropolitan, bishops, priests, and lay members, and all other suffering Ukrainians.

We would sincerely appreciate any step that you might take in this matter. We feel that any publicity given to this protest will tend, at least temporarily, to alleviate the untold sufferings of our mother church and of our brethren under the soviet misrule.

The Ukrainian Orthodox Church of St. George, of Minersville, Pa., by
 Rev. JOHN HUNDIAK, Pastor.
 NICHOLAS SALICK, President.
 LEO SEMORHUN, Vice President.
 JOHN TORICK, Secretary,
 405 Front Street, Minersville, Pa.

TRANSPORTATION OF PERSONS IN INTERSTATE AND FOREIGN COMMERCE BY MOTOR CARRIERS OPERATING ON THE PUBLIC HIGHWAYS

Mr. PARKER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 10288.

The SPEAKER pro tempore. The gentleman from New York moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 10288. The question is on agreeing to that motion.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mr. RANKIN. Mr. Speaker, I call for a division.

The SPEAKER pro tempore. A division is demanded.

The House divided; and there were—ayes 60, noes 10.

Mr. RANKIN. Mr. Speaker, I object to the vote on the ground that there is no quorum present, and I make the point of order that there is no quorum present.

The SPEAKER pro tempore. The Chair will count. [After counting.] One hundred and twenty-two Members are present; not a quorum. The Clerk will call the roll. Those in favor of the motion of the gentleman from New York [Mr. PARKER] will, when their names are called, answer "yea"; those opposed will answer "nay."

The question was taken; and there were—yeas 308, nays 16, not voting 104, as follows:

(Roll No. 14)
YEAS—308

Ackerman	Elliot	Kiefner	Ramseyer
Adkins	Ellis	Kincheloe	Ramspeck
Aldrich	Englebright	Kinzer	Ransley
Allen	Eslick	Knutson	Rayburn
Andresen	Estep	Kopp	Reece
Arentz	Esterly	Korell	Reed, N. Y.
Aswell	Evans, Calif.	Kurtz	Reid, Ill.
Ayres	Evans, Mont.	Kvale	Robinson
Bacharach	Fenn	Lambertson	Rogers
Bachmann	Finley	Lampert	Rowbottom
Baird	Fish	Langley	Rutherford
Barbour	Fisher	Lankford, Ga.	Sanders, N. Y.
Black	Fitzgerald	Lankford, Va.	Sanders, Tex.
Blackburn	Fitzpatrick	Lea, Calif.	Sandlin
Bland	Fort	Leavitt	Schafer, Wis.
Bloom	Foss	Leech	Schneider
Bohn	Free	Lehlbach	Sears
Bolton	Freeman	Letts	Seger
Bowman	French	Linthicum	Seiberling
Box	Gambrill	Lozler	Selvig
Brand, Ga.	Garber, Okla.	Luce	Shaffer, Va.
Brand, Ohio	Garber, Va.	Ludlow	Short, Mo.
Brigham	Garner	McClintock, Ohio	Shott, W. Va.
Browning	Gifford	McDuffie	Shreve
Brumm	Glover	McFadden	Simmons
Buchanan	Goldner	McKeown	Simms
Burdick	Goldsborough	McLaughlin	Sinclair
Burness	Goodwin	McLeod	Sloan
Busby	Granfield	McReynolds	Smith, Idaho
Butler	Green	McSwain	Smith, W. Va.
Byrns	Greenwood	Maas	Snell
Cable	Gregory	Magrady	Sparks
Campbell, Iowa	Guyer	Mansfield	Speaks
Campbell, Pa.	Hadley	Mapes	Sproul, Ill.
Canfield	Hale	Martin	Stafford
Carter, Calif.	Hall, Ill.	Mead	Stalker
Carter, Wyo.	Hall, Ind.	Menges	Stobbs
Celler	Hall, Miss.	Merritt	Stone
Chalmers	Hall, N. Dak.	Michener	Strong, Kans.
Chindblom	Halsey	Miller	Strong, Pa.
Christgau	Hancock	Milligan	Summers, Wash.
Christopherson	Hardy	Montague	Summers, Tex.
Clague	Hare	Montet	Swanson
Clancy	Hartley	Mooney	Taber
Clark, Md.	Hastings	Moore, Ky.	Tarver
Clark, N. C.	Haugen	Moore, Ohio	Taylor, Tenn.
Cochran, Mo.	Hawley	Moore, Va.	Temple
Cole	Hess	Morehead	Thompson
Collier	Hickey	Morgan	Thurston
Colton	Hill, Wash.	Murphy	Tilson
Connolly	Hoch	Nelson, Me.	Timberlake
Cooke	Hoffman	Nelson, Mo.	Tinkham
Cooper, Ohio	Hogg	Newhall	Tucker
Cooper, Tenn.	Holaday	Niedringhaus	Turpin
Cooper, Wis.	Hooper	Nolan	Vincent, Mich.
Corning	Hope	Norton	Vinson, Ga.
Cox	Hopkins	O'Connell, R. I.	Walwright
Coyle	Howard	O'Connor, La.	Warren
Craddock	Hudson	O'Connor, N. Y.	Wason
Crail	Hull, Morton D.	O'Connor, Okla.	Welch, Calif.
Cramton	Hull, William E.	Oliver, Ala.	Welsh, Pa.
Crisp	Hull, Wis.	Palmer	Whitehead
Cross	Irwin	Palmisano	Whitley
Crosser	Jeffers	Parker	Whittington
Culkin	Jenkins	Patterson	Wigglesworth
Dallinger	Johnson, Ind.	Peavey	Williams, Tex.
Darrow	Johnson, Nebr.	Perkins	Williamson
Davenport	Johnson, Okla.	Pittenger	Wilson
Davis	Johnson, Tex.	Porter	Wingo
Dempsey	Johnston, Mo.	Prall	Wolfenden
Denison	Jonas, N. C.	Pratt, Ruth	Wolverton, N. J.
Dowell	Jones, Tex.	Pritchard	Wolverton, W. Va.
Doxey	Kading	Purnell	Wood
Dunbar	Kelly	Quin	Woodruff
Dyer	Kemp	Ragon	Woodrum
Eaton, Colo.	Kerr	Ralney, Henry T.	Wright
Eaton, N. J.	Ketcham	Ramey, Frank M.	Wyant

NAYS—16

Abernethy	Briggs	Garrett	McMillan
Allgood	Cannon	Hill, Ala.	Oldfield
Almon	Collins	Huddleston	Patman
Arnold	Fulmer	Larsen	Rankin

NOT VOTING—104

Andrew	Dominick	Kahn	Sirovich
Auf der Heide	Doughton	Kearns	Snow
Bacon	Douglas, Ariz.	Kendall, Ky.	Somers, N. Y.
Bankhead	Douglass, Mass.	Kendall, Pa.	Spearing
Beck	Doutrich	Kless	Sproul, Kans.
Beady	Doyle	Kunz	Steagall
Beers	Drane	LaGuardia	Stedman
Bell	Drewry	Lanham	Stevenson
Boylan	Driver	Lee, Tex.	Sullivan, N. Y.
Britten	Edwards	Lindsay	Sullivan, Pa.
Browne	Frear	McClintic, Okla.	Swick
Brunner	Fuller	McCormack, Mass.	Swing
Buckbee	Gasque	McCormick, Ill.	Taylor, Colo.
Carley	Gavagin	Manlove	Thatcher
Cartwright	Gibson	Michaelson	Treadway
Chase	Graham	Mouser	Underhill
Clarke, N. Y.	Griffin	Nelson, Wis.	Underwood
Cochran, Pa.	Hammer	O'Connell, N. Y.	Vestal
Connery	Houston, Del.	Oliver, N. Y.	Walker
Crowther	Hudspeth	Owen	Watres
Cullen	Hull, Tenn.	Parks	Watson
Curry	Igoe	Pou	White
De Priest	James	Pratt, Harcourt J.	Wurzbach
DeRouen	Johnson, Ill.	Quayle	Yates
Dickinson	Johnson, S. Dak.	Romjue	Yon
Dickstein	Johnson, Wash.	Sabath	Zihlman

So the motion was agreed to.
The Clerk announced the following pairs:
Until further notice:

Mr. Graham of Pennsylvania with Mr. Drane.
Mr. Treadway with Mr. Hammer.
Mr. Watson with Mr. Hull of Tennessee.
Mr. Gibson with Mr. Stevenson.
Mr. Frear with Mr. Cullen.
Mr. Swing with Mr. Bankhead.
Mr. Beers with Mr. Lindsay.
Mr. Michaelson with Mrs. Owen.
Mr. Vestal with Mr. O'Connell of New York.
Mr. Wurzbach with Mr. Dominick.
Mr. Kearns with Mr. Spearing.
Mr. Manlove with Mr. Quayle.
Mr. Kiess with Mr. Doughton.
Mr. Yates with Mr. Boylan.
Mr. Watres with Mr. Romjue.
Mr. Harcourt J. Pratt with Mr. Brunner.
Mr. Bacon with Mr. Drewry.
Mr. Mouser with Mr. Gasque.
Mr. Andrew with Mr. Taylor of Colorado.
Mr. Swick with Mr. Igoe.
Mr. White with Mr. Griffin.
Mr. Johnson of Washington with Mr. Douglass of Massachusetts.
Mr. Curry with Mr. Connery.
Mr. Chase with Mr. Auf der Heide.
Mr. Nelson of Wisconsin with Mr. Lee of Texas.
Mr. Beck with Mr. Parks.
Mr. Thatcher with Mr. DeRouen.
Mr. Crowther with Mr. Bell.
Mr. Johnson of Illinois with Mr. McClintic of Oklahoma.
Mr. Underhill with Mr. McCormack of Massachusetts.
Mr. Houston with Mr. Cartwright.
Mr. Dickinson with Mr. Pou.
Mr. LaGuardia with Mr. Sabath.
Mr. Kendall of Pennsylvania with Mr. Driver.
Mr. Johnson of South Dakota with Mr. Edwards.
Mr. Zihlman with Mr. Fuller.
Mr. Walker with Mr. Steagall.
Mr. Buckbee with Mr. Yon.
Mr. Sullivan of Pennsylvania with Mr. Somers of New York.
Mr. James with Mr. Gavagan.
Mrs. McCormick of Illinois with Mr. Sirovich.
Mr. Sproul of Kansas with Mr. Underwood.
Mr. Browne with Mr. Kunz.
Mr. Clarke of New York with Mr. Lanham.
Mr. Cochran of Pennsylvania with Mr. De Priest.

The result of the vote was announced as above recorded.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 10288) to regulate the transportation of persons in interstate and foreign commerce by motor carriers operating on the public highways, with Mr. LEHLBACH in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the committee rose at its last session there was pending an amendment offered by the gentleman from Michigan [Mr. MAPES]. The gentleman from New York [Mr. PARKER] was seeking to make arrangement for the limitation of debate.

Mr. PARKER. I ask that the pending amendment may be reported to the House.

The Clerk read the Mapes amendment, as follows:

Amendment offered by Mr. MAPES: Page 7, line 16, after the word "conducted," strike out the words "between two States only are involved" and insert in lieu thereof the words "involve not more than three States."

Mr. GARBER of Oklahoma. Mr. Chairman, I rise in support of the pending amendment, and ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. The gentleman from Oklahoma [Mr. GARBER] asks unanimous consent to proceed for 10 minutes. Is there objection?

There was no objection.

Mr. GARBER of Oklahoma. Mr. Chairman and members of the committee, in resuming the consideration of this bill your attention is called to section 3, the administrative provisions, in connection with the amendment offered by the gentleman from Michigan [Mr. MAPES], which increases the administration of the joint board provision from two to three States.

In the presentation of the bill on a former occasion, I stated that the most serious problem which confronted the committee was the necessary administrative machinery to administer the provisions effectively and satisfactorily throughout the country.

Now, let us not be confused by the mention of joint boards. The heated argument the other day confused the term "joint boards" with that of the State boards. This is not a State board we propose, and it does not include a State board. It is entirely separate and distinct from any State agency. It is a board to be composed of one member nominated by the utilities commission of each State in which the proposed operation is to occur. That one member is nominated and then appointed by the Interstate Commerce Commission, and, by the provisions of this bill, is made a Federal agent. Note the distinction. He is made a Federal agent for the administration of this bill. So

it takes out of the presentation of the opposition to this amendment all the argument that has thus far been presented. This is not a State board. It is a Federal board, and the amendment does not propose to transfer any Federal power to the State governments whatever. It is not a transfer of Federal power to the State governments. It is a proposal to decentralize the administration of the Federal power for the convenience of the people, and the proposition ends there.

After the power providing for the national defense and the establishment of courts to administer justice, in my judgment the power embodied in the commerce clause of the Constitution is the most important and valuable power in that great instrument. It is an economic power. It has contributed more to our economic growth and to the development of the resources of this country than any other power within that sacred instrument.

We do not propose to permit the opposition to this amendment to put us in a false position as endeavoring in any way to transfer any of that power. That power must be left in the Constitution to be fully exercised. The channels of commerce must be left open. It is just as important to the farmers of this country, to the farmers of the great West, that the products of agriculture shall flow freely to the ports and to the markets of the East as it is that the products of industry flow west for consumption. There is no purpose here to impinge upon that power in any way. These boards are Federal agents and as such they are fully authorized to act under the terms of the bill and the decisions of the courts of the United States.

We have State commissions cooperating with the Interstate Commerce Commission under the interstate commerce act, working together, wherein State and interstate rates are commingled, and in connection with the granting or refusing of certificates of convenience and necessity to roads that desire to extend and to roads that desire to be discontinued.

Those who insist that prejudice results from local cooperation with the Interstate Commerce Commission are answered by the administration of the interstate commerce act. Paragraph 3 of section 13 of the act provides:

(3) Whenever in any investigation under the provisions of this act, or in any investigation instituted upon petition of the carrier concerned, which petition is hereby authorized to be filed, there shall be brought in issue any rate, fare, charge, classification, regulation, or practice, made or imposed by authority of any State, or initiated by the President during the period of Federal control, the commission, before proceeding to hear and dispose of such issue, shall cause the State or States interested to be notified of the proceeding. The commission may confer with the authorities of any State having regulatory jurisdiction over the class of persons and corporations subject to this act with respect to the relationship between rate structures and practices of carriers subject to the jurisdiction of such State bodies and of the commission; and to that end is authorized and empowered, under rules to be prescribed by it, and which may be modified from time to time, to hold joint hearings with any such State regulating bodies on any matters wherein the commission is empowered to act and where the rate-making authority of a State is or may be affected by the action taken by the commission. The commission is also authorized to avail itself of the cooperation, services, records, and facilities of such State authorities in the enforcement of any provision of this act.

The advantages of cooperation under the above provision have been pointed out by Mr. Justice Brandeis, of the Supreme Court, in his opinion in the case of Colorado against United States. He invites attention to the fact that from the enactment of the transportation act of 1920 to February 18, 1926, 191 abandonment applications were acted upon by the Interstate Commerce Commission, of which 170 were granted; of these only 6 were granted contrary to the recommendations of State authorities, and of 47 cases where State authorities made recommendations, the commission acted in accordance therewith in 38 cases. (271 U. S. 153, 167.)

In the annual report of the Interstate Commerce Commission for the year ending October 31, 1926, it was stated that a check of the commission's records discloses that 27 State commissions cooperated with the Federal commission in 51 rate cases in which interstate-intrastate rate relations were in some manner involved, 22 State commissions cooperated in 44 construction and abandonment cases, and 6 in car-service cases.

The gentleman from Kansas [Mr. HOCH] in his argument opposing this amendment, confessed that he was not a mathematician, but the gentleman could see as many as 25 different boards under the administrative provision, called into action in five different States. While the gentleman from Kansas may not be a good mathematician, it must be admitted that his powers of imagination are highly developed. His statement of the number of boards required running into the hundreds is not coupled with the statement that the appointee from a State would not be limited to acting on one board but would

act on as many boards requiring the cooperation of his State so that in his illustration of a 5-State operation, there would be only 5 members composing a joint board instead of 25 inferred from such statement.

But this amendment does not extend that far. It does not include five States. It does not include in excess of three States.

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. GARBER of Oklahoma. I yield.

Mr. MOORE of Virginia. I am in sympathy with the amendment that the gentleman is supporting. I would like to ask a question which has relation to the argument of the gentleman from Kansas [Mr. HOCH]. The gentleman said there would be serious complications; a great multiplication of boards, and so forth.

The language of the provision that the gentleman is discussing is:

The commission shall, when operations of common carriers by motor vehicles conducted or proposed to be conducted between two States only are involved, refer to a joint board for hearing and decision and recommendation of appropriate order thereon, any of the following matters.

Can I understand that would not be construed as compelling a reference in a given case of all matters to the joint board, but that the commission would have the discretion to segregate the matters to be so referred?

Mr. GARBER of Oklahoma. I think the provision is mandatory and would be construed as requiring the Interstate Commerce Commission to refer all matters therein enumerated.

Mr. RANKIN. Will the gentleman yield?

Mr. GARBER of Oklahoma. For a question; yes.

Mr. RANKIN. The Interstate Commerce Commission, though, would have the absolute power to review every decision the joint board made, would it not?

Mr. GARBER of Oklahoma. That is correct. Why is that power granted to the Interstate Commerce Commission? It is to preserve the supremacy of the commerce clause necessary to preserve uniformity in administration.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. GARBER of Oklahoma. Mr. Chairman, I ask unanimous consent to proceed for three additional minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. GARBER of Oklahoma. In concluding this explanation of the proposed amendment I want to call your attention to an authority which I hope you will accept with favorable consideration. In his very exhaustive and able speech presenting the various provisions of this bill, the gentleman from Illinois, among other things, said, in reference to this scheme of administration by joint boards:

The most important feature, however, from an administrative standpoint, to be gained by having local State authorities designated and empowered to act as a Federal agency, arises from the fact that such a board will have first-hand, direct, and personal knowledge of local conditions. This is particularly desirable in view of the fact that there is no distinguishing difference between interstate and intrastate problems other than a difference in jurisdiction arising from crossing a State line. If it were not for the fact that such a boundary line intervened, the regulation or control of the carrier would and could be properly and satisfactorily exercised by the State board having jurisdiction over operations entirely within the State. It would seem, therefore, to be rational and proper to enable State representatives to act as a Federal authority in dealing with such local interstate matters.

There is also another possible advantage that might be gained from a board so formed, in the opportunity that is afforded to deal at the same time with interstate and intrastate operations that might have a relationship to one another. The authority to act on the intrastate matter would exist by reason of the power vested in the individual member as a part or representative of the State regulatory body, and the authority to act with reference to the interstate matter arises by reason of the Federal agency created by this act. Thus, by the exercise of both State and Federal power, having due regard to the restrictions and limitations of each, it would be possible to coordinate the two by appropriate orders in a particular matter in such a way that one would supplement the other to the great advantage of the public.

While the act provides that all operations involving more than two States shall be heard by the commission, or a member or examiner thereof, nevertheless, it is the opinion and judgment of many that the provisions now applying to matters involving not more than two States might very properly be extended to at least three States, and discretionary power given to the Interstate Commerce Commission to create such joint boards, no matter how many States involved, whenever in the judgment of the commission it might properly be done. There is much to be said in support of this proposition, and the adoption of it

would certainly not detract or decrease in any way the effectiveness of the administrative features of the bill.

The gentleman from Illinois was giving expression to that found in every decision of the Supreme Court in its recognition of the doctrine of reasonable regulation in the absence of congressional action. Every Supreme Court justice in writing an opinion in regard to interstate motor transportation has emphasized the necessity of reasonable regulation to the limit of the constitutional exercise of the police powers of the several States, especially emphasizing the need of local knowledge, information, and experience. Why? Because—not like the railroads—these roads have been built by the several States with the assistance of the Federal Government upon the condition that the States will maintain these roads, and they can only do that by taxation. The Supreme Court has recognized that. It has recognized the local need, the local cooperation, and the local advice and assistance of the States in helping to maintain these roadways. The people of the several States have built the roads and are entitled to friendly administration for their protection and maintenance. [Applause.]

The CHAIRMAN. The time of the gentleman from Oklahoma has again expired.

Mr. COX. Mr. Chairman and members of the committee, I rise in opposition to the amendment. I take it that the members of the committee reporting this bill, who have given long and careful study to this question, have come to the conclusion that the power in the Congress to regulate commerce, carried on by bus lines, should be exercised. The committee is unanimous, as I understand it, in favoring legislation of some character. While there is a minority report filed by one member of the committee, that gentleman has proposed a substitute to the bill which, in my judgment, would have been a wise initial step for the Congress to have taken.

This amendment, Mr. Chairman, is proposed by a friend of the bill, but I respectfully submit that it is an aggravation of an evil that the bill already contains. It is an effort to satisfy the State commissions, who have been insisting upon no limitation with respect to the setting up of State boards to cooperate with the commission in the administration of this law.

I submit, Mr. Chairman, there can be no reason for the existence of even a 2-State board, much less a 3-State board, if the findings of such board are not to be binding upon the Interstate Commerce Commission.

Under the terms of the bill the State joint boards, while designated as agencies of the Federal Government, are nothing more nor less than State agencies, set up for the purpose of investigating and reporting to the Interstate Commerce Commission, both as to fact and as to recommendation of treatment.

I submit, Mr. Chairman, that there being no finality to the report of these State boards, there can be no sense in creating them.

The act placing upon the Commerce Commission the responsibility of review carries with it the implication that the commission will itself conduct some original investigation, for if there be no such investigation on the part of the Interstate Commerce Commission, then there can be no intelligent exercise of the power of review. Therefore we must conclude that the commission in testing the accuracy of the findings of State boards on questions of fact and in testing the wisdom of their recommendations as to treatment will investigate outside of the report as made by the State boards.

Mr. BURTNESS. Will the gentleman yield?

Mr. COX. Yes.

Mr. BURTNESS. Does not that same argument apply to the findings of an examiner representing the commission?

Mr. COX. I do not catch the significance of the gentleman's question or understand his question, but if the gentleman will wait until I make my statement I will be glad to yield to him.

Mr. BURTNESS. I thought it was an appropriate question at this point.

Mr. COX. The argument made by those opposing this bill is that it constitutes an invasion of the States on the part of the Federal Government and deprives the States of control over purely domestic questions.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. COX. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. COX. I wish to bring to the attention of this committee that the enactment of this law, if it is enacted, does not deprive the State regulatory boards or commissions of the exercise of all control over agencies carrying on an interstate business. The argument is made upon the floor that immediately upon the

enactment of this legislation all jurisdiction exercised by State boards is immediately stricken down, so far as their control over interstate agencies or a bus line doing an interstate business is concerned. I submit, Mr. Chairman, that the power is in the State boards at the present time, and it will continue to be in the State regulatory bodies, to pass rules which will be binding upon interstate carriers so far as the handling of interstate business is concerned, and the right to exercise all police control.

Now, Mr. Chairman, I was struck with the statement made by the gentleman from Kansas [Mr. Hoch] on Friday last when he was quoting a witness appearing before the committee, who stated that if a provision of this amendment were carried in the bill it made possible the setting up of thousands of State joint boards. I thought the statement rather extravagant. So this morning I commenced to figure on the possibilities with respect to the creation of such agencies under the proposed amendment to the bill, and I figured until I ran the number up to 2,107, therefore coming to the conclusion that the gentleman from Kansas and the gentleman from Texas were accurate in the statement they made that this amendment would set up a condition under which it would be impossible to operate.

Mr. JOHNSON of Indiana. Will the gentleman yield?

Mr. COX. The gentleman will pardon me if I decline?

Mr. JOHNSON of Indiana. I simply wanted to ask the gentleman if he has figured how many boards could be created with the provision in the bill with regard to two States?

Mr. COX. I did not make the calculation. If the gentleman is opposed to that feature of the bill I join him, because I, too, am opposed to it; but this seems to have been the best the committee could do in order to enlist the support that meant the passage of the measure.

But, Mr. Chairman, this is the observation I wish to make: If you are in favor of legislation you want the best legislation you can get, and if you adopt this amendment you destroy the possibility of uniformity of treatment of the entire problem. You will have as many different rates governing this proposition as there are State agencies set up under this provision of the bill.

You will have as many different bases of calculating rates as there are different agencies set up under the bill. You will have a different method of determining what degree of control should be exercised over the operator, over the instrumentality that is used in the carrying on of the business. You create a condition, Mr. Chairman, which makes it absolutely impossible that you may have uniform rates established by any agency covering the entire country. The hope of effectuating the purpose of the bill, in the event this proposed principle is incorporated as one of its provisions, lies in the expectation that the Interstate Commerce Commission will make liberal use of its power of review.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the question before the House is merely whether we should extend the provision recommended by the committee one degree. The committee recognized that so far as the operation of busses between two States is concerned, all questions as to necessity for issuance of certificates, consolidations of bus companies, approval of surety bonds, and rates of fare and the like should be determined by a representative of the utility commission of each State on a joint board, with authority to hear and determine such matters.

I respectfully submit for your consideration that this authority should be extended to where three States are involved, as purposed by the pending amendment. I submit in support of my position concrete instances which will show the need for the extension of this power. For instance, busses running from Buffalo to Cleveland have to go through three States—New York, Pennsylvania, and Ohio.

The character of this service should be determined by a representative of the utility commissions of New York, Pennsylvania, and Ohio, acting as a joint board rather than by an examiner of the Interstate Commerce Commission, as the bill now provides, for questions of necessity and convenience, mergers, fares, and the like where more than two States are concerned.

Another concrete instance is the bus service between New York and Boston, a very frequent bus service, going through the States of New York, Connecticut, and Massachusetts. This is another concrete instance where this character of service and the number of vehicles and the rates to be charged for the service should be determined by a joint board comprised of a representative of the utility commissions of New York, Connecticut, and Massachusetts, highly qualified utility commissions, rather than by an examiner of the Interstate Commerce Commission, a bureaucrat.

I may cite as another instance, and I assume this instance is the one that inspired the gentleman from Michigan to sponsor this amendment, the bus line from Detroit to Chicago. This service goes through three States—Michigan, Indiana, and Illinois. A representative of the utility commissions of these States should determine the number of vehicles and the character of that service rather than an examiner of the Interstate Commerce Commission not accountable to the people of the respective States for service, rates, or any related service matter.

It has been my privilege in recent years to travel frequently between Detroit and Chicago on the fast trains of the Michigan Central, paralleling the highways that these busses use. I travel by daytime on the Wolverine, the Twilight, and on the Niagara Falls Special, keeping my eyes open and following the traffic on this great highway between Detroit and Chicago. There are not any great number of passenger busses crowding out other passenger traffic. I am acquainted with the character of busses that ply between Detroit and Chicago. One line leaves the Fort Wayne Hotel at midnight.

I am acquainted also with the busses of its competitors, and I say to you that this character of service should not be left to a representative of a bureau here, with the localities concerned having no voice in the matter, but should be left to a joint board composed of one representative appointed by the utility commissions of the respective States involved.

I bottom my argument on State rights and on State operation, and not upon control and domination by an examiner appointed by the Interstate Commerce Commission.

Mr. SMITH of Idaho. Will the gentleman yield?

Mr. STAFFORD. I will be pleased to yield if I have the time.

Mr. SMITH of Idaho. How would the gentleman handle the company that operates through more than three States, probably a dozen States?

Mr. STAFFORD. Oh, it is entirely a question of practical control. I might be able to extend the illustration to some instances where it might be practicable if four or five States were involved, but commissioners of three States can get together and determine the proper policy, as that policy is local, of which each representative would have personal knowledge of the existing conditions. They would be directly interested and would be acquainted with the actual conditions. The commissioners of four States or five States might not be acquainted with local conditions, and therefore it would become more a national than a local question.

I can multiply these instances where it would be practicable to vest authority in a 3-State board, for instance, the service from Washington to Philadelphia, involving three States; Chicago to St. Paul and Minneapolis, where three States are concerned.

Why should not the number of these vehicles, as well as the policy generally, be subject to the police power of the States as it exists to-day guaranteeing the rights and the safety of the public under the constitutional power of our Government?

As I understand the decisions of the Supreme Court—and I have read them quite closely within the last two weeks—when the Congress attempts to regulate these powers, then the States do not have corrective power of regulation over such interstate carriers. [Applause.]

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. ABERNETHY. Mr. Chairman, I rise in support of the amendment. Mr. Chairman and Members of the House, I am very much gratified and pleased to know that the distinguished gentleman from Michigan [Mr. MAPES], a very prominent member of the Interstate and Foreign Commerce Committee, has seen fit to introduce this amendment. I think there is some hope of passing it.

I think the Interstate Commerce Commission has about as much power at the present time as it ought to have—and too much, according to my notion. Wherever I can vote to cut down some of that power and at the same time preserve it to the States, I am willing to support any measure that will do it.

Under the law under which the Interstate Commerce Commission operates, we can scarce do anything pertaining to railroads in the several States without getting the consent of the Interstate Commerce Commission. This powerful commission has gone into my State in the last few months and has required the State commission to raise intrastate rates so as to conform with the rates of a sister State. We have no power at all unless we come with our hats in our hands to the Interstate Commerce Commission and ask them to please give us a little crumb now and then, and the people get precious little from this body.

I wish the amendment had gone further and provided for three or more States, and leaving it entirely to the State commissions of those States jointly acting. I am in favor of pre-

serving the rights of all States to deal with this matter, and I hope that you will support the amendment of the gentleman from Michigan as going part of the way. [Applause.]

Mr. EATON of Colorado. Mr. Chairman, an examination of the bill before me and an attentive presence during the debate have shown that the committee reached a conclusion that there were two types or classes of interstate common carriers of passengers by automobile busses which should hereafter operate under Federal legislation. The class to which I shall address my remarks is that one in which the regular route within a defined district extends to no more than two States. Possibly, the best answer to the query why this was limited to two States was given by the gentleman from Illinois [Mr. DENISON] when he said:

The committee, in its wisdom, decided we ought not to extend the provision for joint boards beyond the interstate operations involving two States only.

Of course the designation of two is the selection of an arbitrary number. Possibly, any number is arbitrary.

I want to ask you to consider the Rocky Mountain situation, using the city of Denver as a point from which the Rocky Mountain motor-bus business radiates. Comparatively speaking, there may not be a great deal of interstate traffic in that district, but when busses run from Denver to Yellowstone Park they go through Colorado, Wyoming, and Montana. To Salt Lake City they run through Colorado, Wyoming, and Utah. To Amarillo, Tex., they run through Colorado, Utah, and Texas. To Kansas City they run through Colorado, Kansas, and Missouri.

These give you a fair view of the situation. Three States are traversed in every such interstate trip.

I might say that these routes cover most of the interstate motor-bus transportation that would be affected by the Parker bill in that region.

By adopting the amendment and changing the figure "2" to "3," this House itself will consider public convenience and serve the public interest best by providing that the questions covered by subsection d of section 3 of the bill, shall be heard and determined by a joint board of three selected in a territory which is from 1,800 to 2,500 miles from Washington.

Will not the members of the standing committee concede that much and support the amendment of the gentleman from Michigan [Mr. MAPES]?

Safety requirements—are they to await the delays incident to hearings being made by a delegate from Washington whose experience has been with bus transportation over the crowded paved roads of eastern cities, but not mountain passes?

The gentleman from Maine [Mr. NELSON] quoted from the Supreme Court of the United States, and said:

Freedom of commercial intercourse between the States is of such paramount importance that interference with it by the States can not be permitted.

Note that he did not say that aid by the States would be prohibited.

Why can we not go as far as the Supreme Court?

We are delegating power as far as we may do so constitutionally.

The wisdom of the committee has been expressed by creating joint boards from two States.

Why not recognize that in the more sparsely settled parts of this country, that a 3-State joint board may best serve the public interest and permit freedom of commercial intercourse?

And that in proper cases of "paramount importance" the Interstate Commerce Committee should have the power to exercise its discretion and call to its aid a joint board from more than three States.

I submit that this amendment meets the situation squarely and ought to be adopted.

Mr. NELSON of Maine. Mr. Chairman and Members of the House, I realize the difficulty of attempting, in a few words, to explain the very serious objections, well founded or otherwise, which some members of the committee have to this proposed amendment offered by the gentleman from Michigan.

On its face it seems the change of a simple detail of administration, but to some of us it seems to go further and impinge on a very serious constitutional question.

I think Members might better understand our position in this matter if I took a moment to review the history of this legislation. The debate on the bill has shown that previous to 1925 Congress having taken no action in the matter, the State regulatory boards, believing that they had the right to regulate interstate commerce, did so regulate it and regulated it satisfactorily.

That same year we had the Buck decision, which said that the States could not regulate interstate motor bus transportation.

The court held that it was an attempt on the part of the State to say, not how the highways should be used, but by whom.

Quoting from the opinion:

Moreover, it determined whether the prohibition shall be applied by resort through State officials to a test which is peculiarly within the province of Federal action—the existence of adequate facilities for conducting interstate commerce.

Now, on account of that decision, the first bill was introduced in December, 1925. That was S. 1734, introduced by Senator Cummins. Since the time of the Buck decision, the question has been, and now is, whether or not we shall restore to the State regulatory bodies the powers which the Supreme Court of the United States said they should not exercise.

I think every member of the committee believes in the decentralization of Government. Surely every member of the committee would do his utmost not to interfere with State rights; but we can not preserve to a State a right that it never had, and a right which the Supreme Court said it should not exercise.

I am giving you now the history of this legislation. This legislation, as then embodied in the Cummins bill, started in to give back to the State regulatory bodies, the same bodies that had been regulating interstate commerce previous to 1925, the very powers which the Supreme Court said they should not exercise. Those powers were given in S. 1734. That was five years ago. All the time since the struggle has been between those who believe that the commerce clause of the Constitution intended that interstate matters should be decided by those who, removed from, and unaffected by, the local prejudices and interests of the States might view the projects from a national standpoint, and those who want to give the decision of such matters back to the State regulatory bodies, who are immediately interested in all of the matters concerned.

All of the evidence taken out in these hearings disclosed the expectation on the part of every witness; that the member of the State regulatory body would represent his State and nobody the Nation; that the State member would take heed of the conditions of the ways and streets and tunnels and the intrastate commerce of his own State and no one would take heed or give voice to the interstate need of the proposed line. We started with a bill that would give back to the very bodies that the Supreme Court said should not exercise it, the very rights the court said they should not exercise, and we have worked down through various modifications to the present bill. In its initial form this very bill which we are considering to-day not only adopted representatives of these State bodies as administrative agents but gave to them the final power of determining whether a certificate should or should not be granted. I do not contend for a moment that we may not delegate power to administrative agents. I do not contend that we may not delegate such administrative power to State officials, but there is a limit to our discretion beyond which we should not go. A judge may very properly delegate to a referee or appraiser certain duties, but it would be highly improper to select as such referee or appraiser one directly interested in the subject matter of the case. Here it was the intent of Congress that these matters should be decided by men not influenced by local conditions. If this regulation is a matter of national importance, if it is a national problem, then it should be administered by a national board. The bill we have before us is a compromise of the ideas of the various members of the committee.

It appeared in the course of the evidence that much of the trouble was confined to and arose out of the local transportation problems of cities located near the State line. The gentleman from California suggested some case involving the interpretation of some act to regulate commerce which would seem to differentiate this purely local commerce from the purely interstate commerce. I do not believe we really have even the justification of that case. Certainly, however, this situation of local commerce over short distances across State lines is a peculiar one that never could have been in the contemplation of the founders when the Constitution was formulated. I am not in favor of the State board proposition, and I believe that the less power we give to the local board and the more power we retain in the Federal authorities the better off we will be.

Mr. MAPES. Mr. Chairman, will the gentleman yield?

Mr. NELSON of Maine. Yes.

Mr. MAPES. The gentleman has said quite frankly that he does not believe in the use of the State boards at all, not even in the 2-State proposition as set forth in the bill. Does he think that such use is unconstitutional, or, if so, that the amendment that I have proposed is any more unconstitutional than the present provision of the bill?

Mr. NELSON of Maine. I can only answer that proposition in a very general statement. I think the validity of an act is determined more by its substance than by its form. I think we

ought not to attempt by indirection what we can not do by direction. I think the intent of the Constitution in that these matters of interstate regulation should not be left to those who are directly interested in them, and to that extent I do not approve of this 2-State board. I believe that it probably does avoid the objection that it is unconstitutional. I think the Supreme Court would go far to sustain any such legislation. But it is a question of policy; it is a question of whether this Congress wants to attempt to circumvent even the spirit and intent of the Constitution. Personally I do not.

Mr. MAPES. Does the gentleman think the amendment that I propose is any more unconstitutional than the present provision of the bill?

Mr. NELSON of Maine. I think perhaps not. Some claim that there is justification for the 2-State method, not only through necessity but also from the fact that it deals with purely local transportation, which ought not to be considered as interstate. I do not think we should give that claim much consideration. I think the 2-State board is bad enough, but that when you make it a 3-State board, you are adding considerably to the difficulties and cost of administration.

The CHAIRMAN. The time of the gentleman from Maine has expired.

Mr. MOORE of Virginia. Mr. Chairman, I agree with the distinguished gentleman from Maine [Mr. NELSON] that we have no legal question here, but simply a question of policy. I am supporting the amendment of the gentleman from Michigan [Mr. MAPES], and I would be glad to go a step further and vest in the Interstate Commerce Commission discretion to make a reference to joint boards in any other cases even though more than three States might be involved. Concerning the amendment now under consideration, the reason why I support it is this, mainly: The situation being dealt with differs altogether from the railroad situation. The railroads buy their rights of way and build their tracks and incur the necessary expenditure for that purpose. Their status is different from the highway status, inasmuch as the States have at their own expense, with the exception of such aid as they have gotten from the Federal Government, which is comparatively small, constructed the highways; therefore they should be given a larger measure of cooperative authority by this bill than anybody thinks of giving them relative to interstate commerce by rail.

The particular question under debate is not a new question. It was not a new question when it was taken up by the very able committee, for which I have so much respect. Prior to that time the Interstate Commerce Commission itself had engaged in a protracted investigation. If you will look at the report following that investigation made in 1928 you will find that there were represented before the commission all of the State commissions, all of the railroads, and all others who cared to appear and present their views. In that elaborate report made in 1928 the commission submitted its conclusions, and on the point that is now being discussed its conclusion is unmistakable. Here is the substance of what the commission said, without reading it all:

Joint boards composed of two or more States, or representatives of such State boards and of the Interstate Commerce Commission when acting instead of a State board, should be authorized to act where the commerce is carried on in two or more States.

Now, who is in a better position to know what is the wise course to take relative to this matter than the Interstate Commerce Commission, which has dealt with cognate matters for so many years, and which has so plainly advised that in its opinion it would not be going beyond the limits of a wise policy to provide for the creation of joint boards in all cases? And why should we not do what the amendment proposes as a first step?

If we take that course, where three States are involved, and give discretion to the commission to act where there are more than three States—if we take that course at the outset, and then it is found that all the trouble occurs that was predicted the other day by my friend from Kansas [Mr. HOCH], it will be a very easy matter for Congress to amend the act.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. MOORE of Virginia. May I have three minutes more?

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

Mr. MOORE of Virginia. My friend from Kansas gave a very alarming picture of what may take place, and yet what do we discover, as found by the Interstate Commerce Commission in its investigation?

Mr. RAMSEYER. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Virginia. In a minute.

I want first to refer to the report of the commission. Analyzing conditions in eight States, it did not find that the motor vehicle interstate operations were ordinarily over such long routes as to inspire the alarm felt by the gentleman from Kansas. Over 50 per cent of the routes were only 20 miles in length, nearly three-fourths less than 30 miles, and only 11.9 per cent of the routes were more than 50 miles in length.

Now, if the routes were so short in 1928, or rather in 1926, when the analysis was made, what reason on earth have we to fear that the routes have become so long in the limited interval between that date and now that if joint boards are provided for these may be so many operations through two or three States that innumerable joint boards would have to be created as apprehended by my friend from Kansas and my friend from Georgia [Mr. Cox]?

The CHAIRMAN. The time of the gentleman from Virginia has again expired.

Mr. MERRITT rose.

The CHAIRMAN. The gentleman from Connecticut is recognized.

Mr. MERRITT. Mr. Chairman, I do not think I need take time to argue on the general question of providing State boards in all cases.

Mr. RAMSEYER. Mr. Chairman, will the gentleman yield there?

Mr. MERRITT. Yes.

Mr. RAMSEYER. The gentleman gets up here and talks about "State boards." There is nothing pending here about State boards. They are joint boards.

Mr. MERRITT. I accept the correction of the gentleman. We need not discuss the general question of providing joint boards in all cases, because the difficulty of that was conclusively shown on Friday last by the gentleman from Kansas. The fact that many of these routes are now in existence and will be taken care of by the grandfather clause is not important, for the reason that these same joint boards would be necessary to take care of violations, so that we should have an infinity of joint boards.

Another thing that I think should be taken into consideration there is this: What we need in this great country, as the network spreads, is uniformity of law, so that men starting new routes can know what their rights are, and their counsel can advise them what their rights are.

Now, if we have this infinity of joint boards, we will get innumerable varying decisions on the same states of fact, whereas if we empower the Interstate Commerce Commission to perform this function we shall not have that confusion, so that lawyers can properly and conscientiously advise their clients.

Now, coming to this particular motion or amendment that is before the House, gentlemen argue that there is no special difference between a case of two States and a case of three States. There does not seem to be much numerical difference, but I think the difference which has been stated should be clearly kept in mind by the members of this committee, and that is in all the cases of 2-State boards the important cases come in what may be termed metropolitan areas, as, for instance, New York and Jersey City, Philadelphia and Camden, and St. Louis and East St. Louis. They are practically one community, like regulating a street railway, not in the ordinary sense of interstate commerce, because the interests are not different, as was spoken of by the gentleman from Maine [Mr. NELSON], whereas if you get into three States you necessarily spread over a large area and get into an interstate relation. And in those cases the reasons set forth for action by the Interstate Commerce Commission come strongly in force; so that while it seems not important to speak of the difference between 2 and 3, yet, in fact, looking at the geographical situation, you find an important difference—which shows the importance of supporting the bill, and voting against this amendment.

Mr. PARKER and Mr. RANKIN rose.

Mr. PARKER. Mr. Chairman, I move that all debate on this amendment close in 20 minutes.

The motion was agreed to.

Mr. RANKIN. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Chairman, every Member who has spoken in opposition to this amendment seems to be opposed to any State board or any joint board at all.

The gentleman from Georgia [Mr. Cox] spoke about requiring 2,100 different boards to do all this work. As a matter of fact, these joint boards are composed of members of your State utility boards or commissions and, they are already or-

ganized in all States except possibly one or two. But, if the work is going to be so heavy on all these 2,100 boards, surely it would be much heavier on the Interstate Commerce Commission if all of it were placed upon them.

The gentleman from Maine [Mr. NELSON] seems to be under the impression that we should not have any State representatives on these boards because of "local prejudice." The gentleman seems to travel on the theory that the further we get away from the people we represent the better Government they will have.

Mr. NELSON of Maine. Will the gentleman yield?

Mr. RANKIN. I yield for a question.

Mr. NELSON of Maine. Do you dissent from the provisions and the idea of the Constitution in regard to the regulation of interstate commerce?

Mr. RANKIN. I am now discussing the distinguished gentleman from Maine [Mr. NELSON] and his argument.

Mr. NELSON of Maine. And I stand with my feet on the Constitution of the United States.

Mr. RANKIN. I will ask the gentleman to kindly sit down on the Constitution, and let me show him the fallacy of his argument. [Laughter.]

The gentleman from Maine [Mr. NELSON] seems to think that if any of this power is left to the joint board, composed of members of your State boards, they will be actuated by prejudice. Does he think our State boards are actuated by prejudice? Did we act with prejudice when we issued bonds to build the roads that they now propose to turn over to the large bus companies and railroad companies owning bus lines and deprive our people of the ordinary use of those highways?

If the further you get from the people the less prejudice you find, as indicated by the gentleman from Maine, possibly we had better refer this question to the World Court, where we will have very little say so; and then if you want to get it further from the prejudice of the people you represent, you might pass it on to the League of Nations, where we will have no say so at all. [Laughter.]

Mr. Chairman, the closer you get these boards to the people you represent, the better service the people are going to get. I am in favor of the amendment offered by the gentleman from Michigan [Mr. MAPES], but I want to call attention to the fact that these boards, until other amendments to the same section are adopted, are largely perfunctory. Why? Because you make them all subservient to the Interstate Commerce Commission. It will be seen from reading that section that all the decisions of the joint boards are subject to review by the Interstate Commerce Commission. That ought not to be. If the representative from your State and the representative from my State, members of one of these boards, get together and agree on these rates and regulations between the States involved, their decisions should be final. I shall offer an amendment to that effect at the proper time, if some other Member does not do it.

I may say further that we have a checkrein on the members of the various State boards. We have the power to get rid of them every two years or every four years, or if they go wrong we can call the legislature together and impeach them. But, when you transfer all of this power, as this bill does, to Washington, in order to remove it from the "prejudice" of the people you represent, I want to sound a warning to you to-day, and especially those of you whose districts touch a State line, that you will live to regret it.

If you turn over to the Interstate Commerce Commission in Washington all of this vast power which this bill gives, more power than has ever been given in any one bill since the United States emerged from the World War, and deprive your State boards of any power at all except as clerks, which they will be under the provisions of this bill, you will regret it, and the chances are you will regret it just as soon as the people in your State find out what you have done.

There is no agitation for this bill, except on the part of the corporations that are interested—the people who own these large bus lines and the railroads.

The bus companies want to sell their lines and the railroads want to buy them, and they want the people to furnish the roads, and want us to shut out competition.

One member of the committee took me to task the other day, stating that the railroads were not represented at the hearings. I looked up the hearings, and every once in a while one of these gentlemen, ostensibly representing the bus lines, would get into deep water and he would turn around and ask Mr. Thom about it. Mr. Thom would proceed to give the committee information. Everybody knows that Mr. Thom is one of the leading railroad attorneys or lobbyists of the country.

The people are not clamoring for this bill. The people along the State lines, who will be drastically affected if this measure

goes into effect, have not asked for it. They have not even heard of it. They are satisfied. They have at least some faith in their local commissions or they would remove them.

So in supporting the amendment offered by the gentleman from Michigan I am trying to retain to the people as much power as possible over the regulation of their local affairs and their local transportation.

Mr. DENISON. Will the gentleman yield?

Mr. RANKIN. I yield.

Mr. DENISON. The gentleman understands, does he not, that interstate busses are not now under regulation?

Mr. RANKIN. Yes; except by State authorities. That is thoroughly understood.

Mr. DENISON. Does the gentleman want it to continue that way?

Mr. RANKIN. I prefer the present situation to this bill. And the gentleman further understands that the interstate busses and the interstate railroads and their influences are responsible for the large crowd which came here to testify before the Committee on Interstate and Foreign Commerce.

Mr. STAFFORD. Will the gentleman yield?

Mr. RANKIN. I yield.

Mr. STAFFORD. The gentleman realizes that the interstate busses are under the control of the State commissions as far as police regulations are concerned.

Mr. RANKIN. Certainly, and we are getting along remarkably well with them. Why all this haste to take this vast power from the people of the States, concentrate it in Washington, and place it in the hands of a commission that the people of the States have no voice in selecting, and, as I said, depriving them of control over their local transportation and over their local affairs?

I hope the amendment offered by the gentleman from Michigan will be adopted, and then that we may adopt a further amendment making the decisions of these joint boards final. [Applause.]

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. LEA of California. Mr. Chairman, these joint boards are composed of representatives of the State boards, but the selection of the representatives of the States is required by law, so while constitutionally this is a Federal board, in fact and substance it is a State board. It is a case where it is the hand of Esau but the voice of Jacob.

During the hearings Mr. McDonald appeared before the committee to represent the organized State utility commissions of the United States. Asked by the gentleman from Alabama [Mr. HUDDLESTON] if State commissions would support this bill if they were not in the picture, Mr. McDonald replied they would support it just the same. Mr. McDonald then made this further statement:

The Interstate Commerce Commission eventually is going to regulate interstate commerce by motor vehicle, I think both persons and commerce, so far as they are handled by motor vehicles, before many years.

If you will consider the practical working out of what is proposed here, I think no man will say that after a few years' experience we will have a duplicated and complicated system of boards such as is proposed in this amendment.

Under the plan proposed, we will have a duplicated system. Interstate lines on the same road will originate from different sources. We may have a hearing to-morrow in Salt Lake City for three States, and at the same time in the same city, we will be conducting another hearing separately by the Interstate Commerce Commission. The duplicated plan would be in use all over the United States. Instead of setting up a harmonious, uniform, and businesslike plan holding hearings for the Interstate Commerce Commission, it is proposed to adopt a complicated, duplicated, and impracticable system. In a few years it will have to be abandoned. If the provisions of the bill remain, an examiner representing the commission will go over the country on a circuit and hear many cases in regular order while he is on that trip. If the plan proposed by the amendment offered by the gentleman from Michigan is adopted, we will have separate boards, each one called for a specific purpose. They will have no regular place of meeting; they will have no regular place for keeping records, and there will be no regular place to present your cases. In addition to that, we will always have the board members subjected to the inconvenience of leaving their State duties and assembling to perform a Federal function. The meetings will be postponed and delayed to suit the members remotely located from the place of meeting. They will frequently neglect their State duties to attend.

Mr. PARKER. Mr. Chairman, there has been enough discussion of this amendment to convince the committee that there was a decided division of opinion in our committee. There was

a school of thought in the committee which believed that the regulation should be entirely in the hands of the Interstate Commerce Commission. There were those who believed it should be left to the State commissions.

State commissions, let me say, had regulated this commerce up until the decision in the *Buck* case in 1925. They had regulated it satisfactorily, but the Supreme Court of the United States said they had no right to do it.

Now, there would be no particular discussion of this particular amendment if it were not for the activities of the State commissions, and I do not mean that in an offensive way. It is perfectly natural that men wish to retain all the power they have and it is perfectly natural that the State commissions wish to retain all the power they have. They came to us in the first instance and they wished us to write a law which would give them the power to do what the Supreme Court said they could not do. We have not ability enough in the Committee on Interstate and Foreign Commerce to do that thing, namely, to write a law which the Supreme Court has said is unconstitutional, which we know will go back to them, and they will then overrule themselves.

Now, this is a compromise, and to relieve anyone of any doubt that we do not intend to leave to the States the entire control of intrastate situations allow me to read an amendment I am going to offer that was stricken from the bill, not because there was any objection to it but because it was thought to be unnecessary. However, the public utilities commissions of the States believe it is important, and it reads as follows:

SEC. 14. (a) Nothing in this act contained shall be construed to affect the powers of taxation of the several States or to authorize a motor carrier to do an intrastate business on the highways of any State. It is not intended hereby to interfere with the exclusive exercise by each State of the power of regulation of intrastate commerce by motor carriers on the highways thereof; and notwithstanding this act, motor carriers operating in intrastate commerce on the highways of a State shall continue to be subject to the laws of the State regulating such intrastate commerce, and motor carriers operating in interstate commerce shall be subject to the proper exercise by the State of its police powers.

(b) The commission while acting under authority of this act shall not have any jurisdiction or authority over intrastate commerce by motor carriers, and the commission is expressly prohibited from interfering in any way with or attempting to regulate such intrastate commerce by motor carriers.

Mr. GARRETT. Could this bill possibly give them that power?

Mr. PARKER. I started out by saying it was stricken from the bill because we thought it was unnecessary, but the public-utility commissions wish it restored to the bill, and, as I said, I am going to offer that as an amendment.

What is the reason for the 2-State proposition? I went all over it in my original statement. You have any number of sizeable cities and towns in this country that are right on State lines.

You do not have to go to New York; you do not have to go to Philadelphia to find them. You can go down to Augusta, Ga., which is right across the South Carolina line, or you can go up to Portland, Oreg.—

Mr. RAMSEYER. Will the gentleman yield?

Mr. PARKER. Certainly.

Mr. RAMSEYER. That illustration has been presented here time and again—New York and Jersey City, Kansas City, Mo., and Kansas City, Kans.—but under the bill you do not limit the joint boards to taking care of those peculiar situations.

Mr. PARKER. That is true, and I think that is the weakness of the proposition.

Mr. RAMSEYER. And you give these joint boards power, under the direction of the Interstate Commerce Commission, to investigate and report to the commission and the commission itself really makes the decision in the last analysis.

Mr. PARKER. Yes.

Mr. RAMSEYER. That same illustration has been used here time and again, and I do not think it properly applies.

Mr. PARKER. Let me follow out the line of the gentleman's argument by stating I do not believe we can, under the Constitution, delegate this power to any board, to delegate this power to some one else, and have them make the final decision.

Mr. RAMSEYER rose.

Mr. PARKER. I must refuse to yield further, because I have not the time.

Mr. RAMSEYER. That is an unusual statement.

Mr. PARKER. I mean the Interstate Commerce Commission has not the power to delegate to anybody the making of a final decision.

The CHAIRMAN. The time of the gentleman from New York has expired.

The question is on the amendment offered by the gentleman from Michigan [Mr. MAPES].

Mr. BURTNESS. Mr. Chairman, may we have the amendment again reported?

The Mapes amendment was again reported.

The question was taken; and the Chair being in doubt, the committee divided, and there were—ayes 134, noes 45.

So the amendment was agreed to.

Mr. PARKER. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. LEHLBACH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 10288) to regulate the transportation of persons in interstate and foreign commerce by motor carriers operating on the public highways, had come to no resolution thereon.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate agrees to the amendments of the House to the bill S. 3579, entitled "An act authorizing per capita payments to the Shoshone and Arapahoe Indians."

MAJ. GEN. WILLIAM GEORGE HAAN

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including the proceedings held at Arlington Cemetery at 10.30 a. m., November 9, 1929, on the occasion of the unveiling of the Maj. Gen. William George Haan Monument, erected by the officers and men of the Thirty-second Division Veteran Association.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The proceedings were as follows:

Music—A Night in June—Serenade by K. A. King, Third Cavalry Band, Fort Myer, Va.

Invocation—Monsignor Patrick Dunnigan:

"Our Father, who art in heaven, hallowed be Thy name, Thy kingdom come, Thy will be done on earth as in heaven; give us this day our daily bread (by which we pray for all the necessities of soul and body), and forgive us our trespasses as we forgive those who trespass against us. Amen."

Address: Maj. Gen. Briant H. Wells, deputy chief of staff:

"The Secretary of War, Mr. Good, regretted very much that his absence from Washington prevented him from accepting the invitation of the Thirty-second Division Association to be here to-day.

"It is a great privilege to be here representing him and the War Department in doing honor to Maj. Gen. William G. Haan. I may say that additional pleasure and satisfaction comes to me from the fact that I am here on my own account to pay a tribute of respect and love to a friend and comrade, 'Bunker' Haan, as he was familiarly and affectionately known amongst us.

"Our acquaintance extended over a period of more than 30 years, of which I can count at least 10 when I served near him or under his immediate supervision and direction.

"I had the happiness of his friendship, the confidences of his aspirations, the opportunity to observe the development of his career, and the advantages of his personality and example to guide my own endeavors.

"His experience before the war ran into every phase of military activity. There was no problem that could come before him that he had not already met and solved. Thus equipped he was quickly able to apply his knowledge and experience to the problems of war. He greatly appreciated the services of his staff officers and used the information and facts it was their duty to give him. He listened carefully and sympathetically to counsel and recommendations, and was quick to accept or reject them; but he always had a solution of his own to serve his needs, that he was ready to follow if a better was not forthcoming at the hour when a solution was needed.

"To those of us who had known General Haan before the World War it was no surprise that he exhibited a consummate leadership and at the same time held the affection, yes the love, of those he led. Through a long and brilliant career he had continuously displayed high talent for command, fortified by solid common sense, and cloaked in a broad humanity. He was a soldier's general, trusted and beloved by rank and file. He was decorated by his own Government; foreign nations delighted to honor him; but I know that he esteemed as his greatest reward the privilege of leading home his own division, battle tried and undefeated.

"The high point in his life of military service was undoubtedly that period when he led from victory to victory the splendid division, which under his command had forged itself into an irresistible striking force.

In the Thirty-second Division he encountered the soldier's ideal—an organization composed of strong men, strong in body, strong in mind, above all strong in will. It was made up of men who deliberately and knowingly dedicated themselves to the dangers and hardships of battle in the certainty that something greater than their own lives and fortunes was at stake.

"He was a national character. It is most fitting that there should arise a memorial to him in this our American pantheon. It is all the more suitable that this material tribute should be at the Nation's Capital, visible to those who come from all over our country. He needs no local monument. In each of the many localities where he served, his memory is interwoven with the traditions of the community. In no place is this more true than in Michigan and Wisconsin, those great States where his soldiers lived."

Address: Hon. Wilbur M. Brucker, attorney general, State of Michigan:

"Mr. Chairman, ladies and gentlemen, I am directed by the Hon. Fred W. Green, Governor of Michigan, to convey to this assemblage his very keen regret that he can not be here to-day to express his own personal tribute of respect to the memory of Gen. William G. Haan from the people of Michigan.

"It is indeed a high patriotic privilege to be here. Arlington and sacrifice are synonymous. No man can stand on this hallowed ground without feeling the absolute futility of expressing the realization that here lie thousands of our hero dead who gave the best years of their life for America.

"In the hectic days of 1917, when America was frantically going to war, trying in its own characteristic way to embrace the blessings of preparedness in a fortnight, some divinely inspired hand must have written the order that brigaded together the National Guard troops of two great sister States—Wisconsin and Michigan—to form the Thirty-second Division. Over 12 years later when the din and noise of battle have long since been hushed, it is again peculiarly significant, and almost like a page from the Iliad and Odyssey, that the friendly rivalry of these same two sister States should again be united in common peaceful purpose to do honor to the great leader of our division. Memory leads us on and back again.

"Every man is the product of his time. No man more truly typifies the highest traditions of the American officer from George Washington down to the present day than General Haan. Schooled in the military science at West Point, groomed in the postgraduate course of hard knocks in junior command of troops, experienced in tactics from close contact with the various arms of the service, General Haan came up through the ranks. If Providence had intended it every day from June, 1885, when he entered the Military Academy, until September, 1917, when he assumed command of the Red Arrow Division, he could not have been better prepared for that tremendous undertaking. It was as though his life had been planned that way from the beginning.

"Leadership is no coincidence. Men do not succeed on any permanent basis as leaders of men without the lasting virtues of leadership. Fortune may help, influence may hasten, but the leadership that calls men together a decade after it has been finished in solemn recognition of greatness is based upon genius combined with years of toil and preparation.

"So it was with the leadership of General Haan. From the day he assumed command at Waco, Tex., he was instinctively 'the chief.' No one was left in doubt after the first day but that he 'had the situation well in hand.' Discipline was his handmaiden. He breathed it and he lived it. It was his creed and his apotheosis. Naturally, it descended upon the division as the foremost requirement of success. Then followed the banishment of that defeatist theory, which was abroad in the land, that we would never really 'get into it,' but that the war would be won before we 'got in.' Like a blight this iniquitous, unfounded belief crushed the morale. General Haan cleared the atmosphere like a morning sun when he dispelled all doubts and paved the way for the divisional fighting spirit.

"But another essential element was needed—loyal followership. This, too, was no coincidence. The flower of these two States matched the leadership of General Haan. The officers and men of these two States had been toiling and ceaselessly preparing the National Guard for an emergency. This was scoffed at by large numbers of our people who opposed any expenditure or move in the direction of preparedness, calling it 'militarism.' But thanklessly they toiled on to prepare a small body of men for our national defense; men who had served on the Mexican border in 1916 and had seen enough of the service to realize the seriousness of the grim job of war.

"From this union of peerless leadership and loyal followership there was builded a divisional esprit de corps that was not surpassed in the whole American Expeditionary Forces. No wonder the brilliant record of General Haan resulted. To honor him is likewise to honor every officer and man of the Red Arrow Division.

"But General Haan had also a high sense of loyalty to his command that had no superior anywhere. When upon its arrival overseas the Thirty-second Division seemed destined to the ignominy of being a replacement division, here it was that General Haan displayed his absolute loyalty to his command. With dogged persistence in the belief

that the splendid fighting spirit of the Red Arrow should not be sacrificed so needlessly, undaunted by discouragement, unfaltering because of the dismal prospect, he fought for his command, determined to preserve the integrity of this great fighting machine for the Stars and Stripes. Who knows what might have been the delay in the final glorious result had it not been for the preservation of the Red Arrow with its combat morale beating with triphammer blows in the drive of the late summer and early fall of 1918?

"It may be truly said that the spirit of General Haan was the spirit of the division. Defeat never once entered his head. Neither did it occur to the officers and men of the division. In the three major offensives, first from the Ourcq to the Vesle; second, in the Oise-Aisne; third, in the Meuse-Argonne, this spirit was the chief element of hard-won victory. How General Haan must have gloried in the dash and courage of those men he had trained! How his heart must have been heavy for the 14,000 who suffered the casualties of war. Did his precept and example succeed? The answer has been written deep in the heart of America.

"If ever a service was timely, it is this one. The dedication of this monument comes at the armistice season as the tribute of thousands of surviving veterans of the Red Arrow Division. It is being unveiled at an hour when we uncover our hearts in gratitude for the victory that this day represents.

"Michigan is proud to join in honoring this fallen leader and to say to him in sincerest eulogy, in the words of the immortal Scott:

"Soldier, rest; thy warfare o'er,
Sleep the sleep that knows not breaking;
Dream of battle fields no more,
Days of danger, nights of waking."

Music: A dream—J. C. Bartlett, by Third Cavalry Band.

Address: Hon. Walter J. Kohler, Governor State of Wisconsin:

"The dedication of a permanent memorial to Maj. Gen. William George Haan at Arlington National Cemetery is not only a tribute of respect to a great citizen and soldier but is also a tribute of affection.

"General Haan's record reveals him as a man of conspicuous ability, who developed strength through the practice of thoroughness and intense application, which characterized his entire career. Advancing through his own efforts from modest beginnings to unusual eminence, he knew and sympathized with the problems of his fellow men.

"It was my privilege to have made the acquaintance of General Haan nearly 20 years ago, and so I speak from personal knowledge when I refer to his sympathetic understanding and human qualities.

"He was born on an Indiana farm October 4, 1863, the son of parents who had emigrated from Germany.

"Following the early training of a district school and of a near-by high school, he received an appointment to the United States Military Academy at West Point, where he was graduated in 1889 with high honors.

"In 1905 he married Margaret H. Haan, of San Mateo, Calif., a woman of charm and culture whose constant support and faithful, true-hearted help added greatly to his constructive program.

"He spent his entire adult life in the military service of his country until his retirement in 1922. Commencing as a second lieutenant of Artillery, he progressed steadily, and a consecutive reading of his military record shows an unbroken series of commendations and promotions.

"In the war with Spain he went to the Philippine Islands, a member of General Merritt's expeditionary force, won a brevet for daring conduct, was honorably mentioned in general orders 'for distinguished conduct in the attack on Manila, August 13, 1898,' was recommended 'for bravery, efficiency, and energy' in an attack on the Filipinos near Manila, February 15, 1899, and was promoted to a captaincy and made acting quartermaster, October 17, 1898.

"Following the close of the war in the Philippines, he was assigned to the General Staff and studied in the Army War College, from which he was graduated.

"He acted as Chief of Staff for Gens. Frederick T. Funston and A. W. Greeley at the time of the San Francisco disaster and was highly commended by them. In 1906 and 1907, when an army was sent to Cuba, he was adjutant general. General Wotherspoon said of him that he had 'shown the greatest skill and administrative ability in the conduct of that office, adding much, in my opinion, to his already well-earned reputation.'

"He commanded at various other times some of the most important coast defenses of the country, including Fort Wadsworth, on Staten Island, N. Y., and the defenses of Boston, Mass., and Fort Totten, on Long Island.

"In 1912 he was selected for a second time to serve with the General Staff as Assistant Chief of Staff and afterwards as chief of staff for the Eastern Department at Governors Island, where he won high praise from his superiors, Gens. Thomas Barry and Leonard Wood. General Barry and others recommended him for chief of the Coast Artillery and for brigade command.

"These are characteristic pages of his record prior to our entrance into the World War.

"In the late summer of 1917 troops from Wisconsin and Michigan began to pour into Waco, Tex., and plans were made for the formation of the Thirty-second Division. Colonel Haan, promoted to brigadier general, was then made commander of the Fifty-seventh Artillery Brigade. Upon the assignment a few weeks later of General Parker to duties abroad General Haan was placed in command of the Thirty-second Division, with which his name and fame will ever be associated.

"He trained his troops with characteristic vigor and thoroughness, with the result that the Thirty-second led many other divisions throughout the United States in preparation for overseas duty. The sailing schedule was advanced and the Red Arrows, later called Les Terribles, were sent to France ahead of a number of other divisions. In December, 1917, Brigadier General Haan was appointed a major general of the National Army and the division was ordered to the seat of war in France.

"General Haan's confident prediction of the effectiveness of the division and his deep interest in his soldiers were indicated in his earnest protest against using them as replacement troops. Many of the men in the Thirty-second had already been transferred to other divisions, but the process was halted and by means of replacements the strength of the Thirty-second was restored.

"After weeks of strenuous training under General Haan's immediate supervision, the Thirty-second went into its first hard battle on July 28, 1918, with the French Sixth Army and was continuously in combat or just behind the firing line in reserve from that date until the armistice. Its first fighting was on the Marne, northward from Chateau Thierry, and resulted in heavy casualties, amounting to about 4,000.

"Following the second battle of the Marne General Haan's division was transferred to the Tenth French Army, commanded by General Mangin, and against the most desperate resistance captured the village of Juvigny and surrounding strong enemy territory. This action resulted again in heavy casualties, the losses amounting to about 3,500 men, but the result of the victory was not only the capture of the key position but the taking of a thousand prisoners as well as large quantities of material.

"The fighting around Juvigny demonstrated the quality of the soldiers composing the Thirty-second Division, the splendid training General Haan had given them, their implicit confidence in his leadership, and his clear grasp of the military problem. General Mangin was enthusiastic in his commendation of General Haan and of his men.

"It was, however, as a unit of the first American Army and under the orders of the American high command that the Thirty-second was to perform its most arduous and brilliant service. In the Meuse-Argonne offensive the division was in the front line continuously for 20 days, driving the enemy back 8½ kilometers, capturing over 1,100 prisoners, and taking great quantities of material, at a cost, however, of over 6,000 casualties.

"This brilliant successful attack against the Côte Dame Marie drove the enemy from a key position and won for General Haan and the Thirty-second Division the highest praise and most distinguished honors. The general received an additional silver star through a citation in the War Department general orders and was awarded the distinguished-service medal, the French croix de guerre, and commander of the Legion of Honor. Following the war he was decorated with the Italian Order of the Crown.

"The French citation, which was typical, reads as follows: 'He commanded the Thirty-second Division in a remarkable manner during the operations which ended in the retaking of the Chemin des Dames and Laon. Thanks to his tactical sense, to his strategical skill, to his indomitable tenacity, and to the magnificent spirit of his troops, who had absolute confidence in their commander, he advanced several kilometers and captured the important positions at Juvigny, which the enemy was defending with desperate obstinacy.'

"Premier Clemenceau, of France, in a letter to General Haan, said: 'From May to November, 1918, the Thirty-second Division passed 120 days on the firing line, 35 of which were passed in very severe battles. The enemy fire cost it 14,268 men. * * * You engaged successfully 20 German divisions; never did you yield them an inch of ground.'

"It was an additional and high tribute to the men and their leader that the Thirty-second was selected by General Pershing as one of the three divisions to compose the American Army of Occupation and was assigned to hold the Coblenz bridgehead. About the same time General Haan was promoted to the command of the Seventh Corps, which it was his difficult task to organize. He received at this time the rank of brigadier general in the Regular Army. When in the spring of 1919 the Thirty-second was ordered home General Haan requested and received permission to return with his old division.

"Following the war the President assigned him the position of Director of War Plans Division of the General Staff, making him responsible for the reorganization of the Army. His conception of the national land forces, consisting of the Regular Army, the National Guard, and the Organized Reserves, was adopted.

"In July, 1920, he became a major general in the Regular Army, and on March 31, 1922, at his own request, he went on the retired

list. He became a resident of Milwaukee, where he engaged in journalistic work.

"On Sunday, October 26, 1924, General Haan passed away at the Mount Alto Veterans' Hospital in Washington.

"It is fitting that in this resting place of the Nation's heroes we dedicate a permanent memorial to this great but modest man, a man who schooled himself long and faithfully, proved equal to the heaviest responsibility in peace and in war, and exercised his gift of leadership with brilliant success and with commendable regard for all associated with him. He left a record of remarkable achievement and of unblemished character.

"It is appropriate that in these ceremonies the States of Michigan and Wisconsin, and particularly the veterans of the Thirty-second Division who served with General Haan in the World War, should play a representative part.

"It is a privilege to express the sentiments of pride, respect, and affection of the people of the two great Commonwealths and the soldiers of the Thirty-second for this great leader, in whose memory this memorial is now to be unveiled."

Music: The Thirty-second Division March, Theodore Steinmetz, Third Cavalry Band.

Placing of Floral Tributes, Lieut. Col. Robert M. Beck, jr.:

"General Haan, the living members of the Thirty-second Division Veterans' Association will always remember your fine soldierly qualities, your superior leadership as exemplified by justice, firmness, and human interest in our welfare. To you with this token we open our hearts."

Brig. Gen. Edward G. Heckel:

"This is a token to the memory of Gen. William G. Haan from the men of the One hundred and twenty-fifth Infantry Veterans' Association, who learned to love and respect as well as honor and obey him."

Mrs. Mary L. Pendergast:

"I present this floral arrow in memory of Maj. Gen. William George Haan, who was greatly beloved by the Women's Memorial Association of the Thirty-second Division."

Hon. JOHN C. SCHAFER, Representative, fourth district, Wisconsin:

"Maj. Gen. William G. Haan was a patriot of the most self-sacrificing type, and one of the outstanding American heroes of the late World War. From the time that he entered the United States Military Academy, on June 14, 1885, until he passed into the Great Beyond, he gave his services unstintingly to our common country and his fellow men. The keen intellect, sterling character, extraordinary ability, and the kind heart of their beloved commander inspired and instilled confidence in the men of the Thirty-second Division in their struggles on the battle fields.

"This division, which was originally made up entirely of National Guardsmen from the great States of Wisconsin and Michigan, carved a record of achievement surpassed by none. Upon some of the most shining pages of our Nation's history the name of Gen. William G. Haan and the Thirty-second Division is written, running like a golden thread.

"The late general's heart, now stilled in death, had ever been filled with the noblest purposes and the highest aims—with the last throb of life he kept the faith.

"I have the great honor to present this wreath from the General William G. Haan Post, No. 234, American Legion, Milwaukee, Wis.

"A brave man now is sleeping
While his deeds in memory live
And the tribute we are bringing
Is a Nation's joy to give.

"Hero of old, we humbly lay
The laurel on your grave again.
What men have done, men may.
The deeds you wrought are not in vain."

Benediction: Col. Edmund P. Easterbrook, Chief of Chaplains, United States Army:

"May the Lord bless thee and keep thee. May He make His face to shine upon thee and give thee peace. Amen."

Salute to the dead: Three volleys and taps.—Detachments from the Third Cavalry, United States Army, Fort Myer, Va.

THE FEDERAL AND JOINT-STOCK LAND BANK SYSTEM

Mr. HENRY T. RAINEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the Federal farm loan system.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. HENRY T. RAINEY. Mr. Speaker, I have obtained permission to extend my remarks in the RECORD for the purpose of explaining the farm loan land bank bill which I introduced in the House on Monday, March 17, 1930, and which is numbered H. R. 10830.

This bill changes in one particular the bill I introduced on the 9th day of December last and which was numbered H. R. 6983.

That bill provided that whenever a joint-stock land bank should vote to suspend dividends in the manner provided in the bill its assets should be taken over by the Federal Farm Loan Board and administered through the 12 Federal land banks, merger consolidated bonds to be issued for the purpose of taking up the stock and bonds of the bank so voting to suspend.

On the 10th day of December, 1929, I printed in the CONGRESSIONAL RECORD of that date an explanation of this bill.

The bill I have now introduced provides, in brief, for an amendment to the agricultural marketing act of 1929 and authorizes the Federal Farm Board to organize a Federal merger land bank for the purpose of taking over the assets of the bank or banks so voting to suspend operations.

The Federal merger land bank to issue Federal merger land bank bonds to take up the stock and bonds of the bank or banks so voting to suspend, each stockholder and bondholder to receive in lieu of his stock and bonds merger bonds issued by this bank to the amount he paid for his stock and bonds not to exceed par.

The Federal merger land bank is authorized to administer upon the farms turned over to it and can hold any of them or all of them out of production, planting them only in legumes and grasses and using them only for grazing purposes for such period of time as the bank may deem necessary. The bank may farm all or any part of the farms on the share system or with tractors on a large scale or group method if it shall determine so to do under regulations to be issued by the Federal Farm Board.

Holding part of these farms out of production and using them only for grazing purposes would tend to control agricultural output and farming them in larger units under the control of the Federal Farm Board would also be a step in the direction of controlling the volume of production and the flow of agricultural products to the market.

Whenever conditions seem to warrant the return of any part or all the farms so taken over to private ownership and private control the Farm Board could so direct under this bill and it could be accomplished through the medium of the Federal merger land bank provided for.

The proposition I am submitting in the bill I am now discussing would tend to consolidate the two Federal farm-loan systems of banks. It is reasonable to suppose that most of the 22 joint-stock land banks, which have now suspended dividends, would vote to discontinue operations. Those which will discontinue the payment of dividends in the near future will soon follow in suspending operations. This would remove from the field all but a very few of the joint-stock land banks, and the entire system of Federal farm loans could then be controlled by the 12 Federal land banks or through branch banks to be established by them.

PENDING COLLAPSE OF OUR FEDERAL FARM LOAN SYSTEM

During the 12 months ending November 30, 1929, 14 joint-stock land banks issued any bonds, and these 14 only issued a total of \$5,455,000 worth of bonds. Practically one-half of this amount was issued by joint-stock land banks which are affiliated with and owned by other financial institutions, and they took up their own bonds, of course.

Three of these joint-stock land banks issuing last year over \$900,000,000 worth of bonds have indicated to me that they may soon suspend the payment of dividends; therefore, the issuing and marketing of bonds does not indicate that banks are always prospering. By reloading their amortization payments and by issuing bonds the 47 joint-stock land banks now operating were able to close loans during the 12 months ended November 30, 1929, to the amount of a little over \$20,000,000. During the 12 months ended November 30, 1929, the 12 Federal land banks issued bonds to the amount of \$18,850,000 and closed loans to the amount of a little over \$68,000,000.

Recently the Treasury Department called attention to the record made by the 12 Federal land banks during the period of time I have mentioned and pointed to it as evidence of the fact that the banks were still functioning.

The facts are, however, that six years ago the 12 Federal land banks and the joint-stock land banks then functioning were loaning a million dollars a day. In other words, in 88 days six years ago these two systems loaned as much as the entire aggregate amount of their loans during the 12 months ended November 30, 1929. When we compare what these banks are accomplishing now with what they accomplished a few years ago we can see that the system is rapidly failing.

REVAMPING THE SYSTEM

The amended bill I have introduced will revamp the entire system and put it on its feet again. More loans ought to be made now to farmers than were made five and six years ago. Now is a better time for young farmers to buy farms and to

pay for them on the amortization plan of the Federal farm loan act.

Under the present method of managing these systems joint-stock land banks are being forced to liquidate. Most of the suspended banks are merely buying in their own bonds.

The amended bill I have introduced will revamp the entire system without the slightest ultimate cost to the Government. Under it the Government will be able to redeem all its implied promises and be relieved from the odium which now rests upon it in this connection. The present stockholders and bondholders will be treated fairly. There will be no opportunity for more speculators to make money out of their purchases of stocks and bonds—they only get back in merger bonds what they paid for the stock and bonds they hold, provided that amount does not exceed par. An immense volume of stock of Federal land banks has been purchased at negligible prices by speculators—a still larger volume of bonds have been purchased by speculators at ridiculously low rates. These speculators get only what they paid for these securities—no more.

Nothing can be done, of course, for the stockholders and bondholders who have parted with their holdings at these low prices. They have taken their losses voluntarily and they are completely out of consideration.

Insurance companies are commencing to fail on account of their investments in Federal land-bank securities. Relying upon the representations of the Federal Government, many millions of fiduciary and trust funds have been invested in these securities. Some of the States, following the Federal act, have also made these securities legal investments for fiduciary and trust funds. Organizations creating annuity funds for municipal employees, on the faith of the Government, have invested in these securities. Some of these investments have been made also under laws passed by State legislatures, and they have suffered a loss as matters now stand of 50 per cent of the amount of their investments.

The present session of Congress ought not to adjourn without passing constructive legislation relieving the present situation, which may soon assume the proportions of a national financial disaster.

ADDRESS OF HON. GEORGE WHARTON PEPPER

Mr. McFADDEN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing an address of George Wharton Pepper, delivered over the radio.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the RECORD by printing an address of ex-Senator Pepper. Is there objection?

Mr. RANKIN. Reserving the right to object, was that speech made while Mr. Pepper was in the Senate?

Mr. McFADDEN. No.

Mr. RANKIN. On what subject?

Mr. McFADDEN. On international questions.

Mr. RANKIN. It is not a political speech?

Mr. McFADDEN. No.

Mr. RANKIN. I am not going to object, but I am sorry that the gentleman from Massachusetts [Mr. UNDERHILL] is not here to take care of this.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. McFADDEN. Mr. Speaker, under leave to extend my remarks in the RECORD, I include an address which was delivered by Hon. George Wharton Pepper, of Philadelphia, a former United States Senator from Pennsylvania, covering one phase of the international situation—the Permanent Court of International Justice or the World Court.

The address is as follows:

THE WOODEN HORSE

Young people tell me that in these enlightened days a father's advice is little heeded and that it is a wise father who gives none at all. These young people may be right, and yet when, on February 22, I read again Washington's Farewell Address, I was deeply impressed with the number of instances in which we seem to have been guided by his parting words of counsel.

In bequeathing his wisdom to posterity he himself had doubts whether we could be trusted to make the best use of his legacy. He was inclined to believe that the self-confidence of the young would outweigh the wisdom of their elders. This is what he said:

"In offering to you, my countrymen, these counsels of an old and affectionate friend, I dare not hope they will make the strong and lasting impression I could wish; that they will control the usual current of the passions, or prevent our Nation from running the course which has hitherto marked the destiny of nations; but, if I may even flatter myself that they may be productive of some partial benefit, some

occasional good, that they may now and then require to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigue, to guard against the impostures of pretended patriotism; this hope will be a full recompense for the solicitude for your welfare by which they have been dictated."

If, on his birthday anniversary, Washington could have surveyed the whole field of our national life, he would have realized that his misgivings were unnecessary, and that in two among other particulars we have had the good sense to follow his advice. We have maintained a Military and Naval Establishment adequate for national defense, and we have consistently avoided permanent alliances with foreign powers. To Washington's precept and example, more than to the influence of any other man in our history, we owe the maintenance of our Army and Navy and our wise refusal to join the League of Nations.

As to national defense, I am sure that he would be gratified by the breadth of our policy. We are constantly reminding ourselves that peace without freedom is not worthy to be called peace, and that freedom without peace is not freedom at all. We steadfastly decline to allow peace movements to blind us to the necessity of preparedness, and yet we combine with our policy of preparedness an earnest and effective leadership in efforts to limit armaments and to outlaw war as an instrument of policy. It would be a sad day for the Republic if advocates of preparedness were to withhold their support from our representatives at the London conference. It would, if possible, be a sadder day were the supporters of the conference to oppose reasonable programs for the naval and military defense of the Republic.

After all, the value of advice is proportionate to our affection and respect for the adviser and to our capacity to appreciate the soundness of the counsel that he gives.

As for affection and respect, Washington's place in the hearts of his countrymen is secure for all time to come. Neither calumny nor detraction has been able to disturb it. Even in a day when attacks upon the defenseless dead arouse little indignation efforts to shake popular regard for Washington are proving to be about as effective as if their authors were severally to attempt to shake the Washington Monument at its base.

As respects the soundness of Washington's advice you will often hear the assertion made that the advice was wise when given, but that it has little application to the modern world. We are reminded, as if such a reminder were necessary, that the telegraph, the telephone, the radio, the airplane, the conveniences of travel, and the spirit of commercial intercourse have brought all peoples and nations nearer together and have in effect made the people of the world one great family. "Therefore," such people say, "Washington's warning against entanglements is out of date. Let us face the facts, modify our nationalism, and join the League of Nations." This, I am sure, is the exact opposite of the conclusion that ought to be drawn from the complexity of modern life. Imagine a family living in the country and suddenly moved into a crowded city. In the country a wise father had taught his children the wisdom of minding their own business, of helping others when in need, of giving advisory opinions to neighbors only when asked, of preserving family customs and traditions, and of guarding against sudden attachments, strong dislikes, and too great intimacy with strangers. What should we think of a friend who undertook to reverse this advice merely because the family had moved into a crowded neighborhood. "Space," says he, "has been annihilated and distant neighbors are now close at hand; you must," he insists, "think of your family as including the whole ward in which you live, forego your distinctive family customs, pry into everybody's business, have a finger in every pie, tell all the neighbors what they must and must not do, and so give them an excuse for advising you how to lead your daily life. Do this," says he, "and you will be happy."

Everybody within the sound of my voice knows that such talk is mere nonsense and that the friend who tries to nullify the advice of a wise father is no friend at all. It is, of course, true that in their relation to God Almighty all men everywhere are of one family and of one blood, and that the church of the living God should be regarded as a great unincorporated unity. Nations, on the other hand, are incorporated differences. It is to preserve those things in our Government which differ from other constitutional and governmental systems that we exist as an independent nation. The varying needs of people in different parts of the world make the idea of a world government an idle dream. When we see our own Congress in action and note the clash of conflicting interests between different parts of the United States, we should realize that we already have on hand a gigantic task to preserve the unity of the Republic. The simple truth is that if Washington's advice was sound when given it is no less sound to-day. This is because his advice was based on enduring principles of psychology and its weight is quite independent of time and circumstance.

Bear with me while I quote from this wise father of our country a passage of which we can not too often be reminded:

"Against the insidious wiles of foreign influence—I conjure you to believe me, fellow citizens—the jealousy of a free people ought to be constantly awake, since history and experience prove that foreign

influence is one of the most baneful foes of republican government. But that jealousy to be useful must be impartial, else it becomes the instrument of the very influence to be avoided instead of a defense against it. Excessive partiality for one foreign nation and excessive dislike for another cause those whom they actuate to see danger only on one side and serve to veil and even second the arts of influence on the other. Real patriots, who may resist the intrigues of the favorite, are liable to become suspected and odious, while its tools and dupes usurp the applause and confidence of the people to surrender their interests.

"The great rule of conduct for us in regard to foreign nations is, in extending our commercial relations, to have with them as little political connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith. Here let us stop.

"Europe has a set of primary interests which to us have none, or a very remote relation. Hence she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves by artificial ties in the ordinary vicissitudes of her politics or the ordinary combinations and collisions of her friendships or enmities.

"Our detached and distant situation invites and enables us to pursue a different course. If we remain one people, under an efficient Government, the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation; when we may choose peace or war as our interest, guided by justice, shall counsel.

"Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalry, interest, humor, or caprice?

"It is our true policy to steer clear of permanent alliance with any portion of the foreign world."

I repeat that these words of advice have colored our national history and have helped us to shape a wise foreign policy. Under such guidance we, the people of the United States, have definitely decided that to join the League of Nations would be for the United States an act of folly. This is so well settled that the advocates of league membership have all but abandoned their policy of direct attack and are resorting to a stratagem to detect which we should be "constantly awake."

When a national policy has been definitely adopted the restless souls who want to change it usually abandon direct attack and try to accomplish their purpose by subtlety. When this happens we should recall the once familiar legend of the fall of Troy. After the assaults of the Greeks had year after year been repulsed by the defenders of the city, the canny Ulysses gave out the story that he and the other attackers had decided to quit and were going home in disgust, but were leaving behind them a peace offering to the gods in the form of a huge wooden horse. In spite of a warning that they had better let the harmless looking monster alone, the Trojans, ready to accept whatever bore the trade-mark of peace, drew the wooden horse inside the defenses of the city. After nightfall the armed men concealed inside the horse came out, slew the Trojan guards, and opened the gates to waiting friends outside. Is anything happening in the United States at this moment which makes it wise to remind ourselves that even peace offerings require scrutiny? I think there is; and it is to invite your attention to a modern instance that I have repeated to you this ancient story.

The Permanent Court of International Justice, or the World Court, as it is usually called, is a court that was established after the war by the action of the League of Nations. Our new Chief Justice, Judge Hughes, was for a time one of the judges of this court. A few weeks ago he gave to a radio audience a most interesting and effective account of the way the court works. All who heard it were much impressed and many people asked, "Why does not the United States join with other nations in supporting this institution, the creation of which was originally advocated in America?"

Comparatively few of those who asked this question know that more than four years ago the Senate of the United States voted to adhere to the court upon terms deemed necessary to protect our national interests. For four years we have been ready and willing to unite with our friends in this experiment and for four years they have kept us waiting at the gate. At first they said:

"We do not like one of the conditions upon which you insist; we can't agree to it."

Now they are adopting a different attitude, and they speak to us in this wise:

"We have changed our minds about the condition you propose. After keeping you out of the court for four years we are now ready to agree to your condition and to admit you. In so doing we make only one stipulation, and that is that instead of insisting upon the language of the Senate resolution you will let us express your thought in our language. We assure you it will mean the same thing; but we Old World diplomats have a liking for long and complicated contracts.

Your Senate resolution is perfectly all right, but it is too short and too clear."

Now, as a lawyer, when my client is negotiating a business contract and he and I have put this meaning into language that can't be misunderstood, I can't help being suspicious when the lawyer on the other side says:

"These two pages that I have drafted mean the same thing as your two lines, but I shall be better satisfied if the contract follows my draft instead of yours."

In such a case I should reply:

"No doubt you mean well and perhaps your long formula means the same thing as my short one, but I do not think it does, and I am advising my client to make this agreement in his own language or not at all."

In order to understand the point at issue you must remember that the judges of the World Court have two sorts of duties to perform that are entirely distinct from one another. The judges sit as a court to decide international controversies which disputing nations submit to them. This is the admirable function which Judge Hughes so ably described. The Senate condition has nothing to do with this function. If this court were only a court, we should have adhered to it long ago. But, in addition to their duties in cases between disputing nations, the judges of the World Court constitute the department of justice of the League of Nations. The court, as one of its ablest judges has said, is the advisory organ of the League of Nations. Its duty is to give advice to the league on request by the league's council or the league's assembly. If two sovereign nations get into a dispute and do not choose to lay their troubles before the league or to refer their case to the World Court, there is only one way in which the League of Nations can inject itself into the controversy—and that is by calling on the World Court to give an opinion upon the question on which the two nations have divided. The right of the league to ask for such advice does not spring from the constitution of the court itself but from one of the articles in the covenant of the League of Nations. The theory upon which the league is entitled to treat the judges of the court as league advisers is that they are elected by the league; that they are paid by the league; and that when they resign, as Judge Hughes recently did, their resignations go to the secretary of the league.

Such being the situation, if two nations are engaged in a serious dispute, the action of such an outside organization as the league in calling for a court opinion might easily arouse fierce indignation and precipitate a war which might otherwise have been averted. Suppose a case in which the United States were having a serious controversy with another nation. Then imagine that we were to wake up some fine morning and read that the League of Nations had wired the World Court for an opinion whether the stand of the United States was or was not well taken. This would be front-page news with a scare heading in every newspaper in the United States. That the opinion of the World Court when given would not blind us is not important. The important point is that we do not wish any foreign power or any combination of foreign powers, whether you call the combination a league or what you will, to carry our business without our permission before the judges of a court which has no concern with the rightness or wrongness of our conduct unless we ourselves submit the controversy and ask for a decision. George Washington was a man of peace; but if he were alive when such a thing happened, he would be fighting mad. To prevent anybody from getting mad, the Senate of the United States four years ago said to the other nations:

"The United States will be glad to join you in supporting the Permanent Court of International Justice in so far as it is a court; but we want it clearly understood that after we have adhered the court is to give no advice to the League of Nations without our consent in any matter in which the United States has or claims an interest."

I was in the Senate at that time. I thought then, as I think now, that the hold which the league has on the court is a terrible handicap to the court and ought to be relaxed. But I am a lawyer and a man of peace. I believe in the judicial settlement of international disputes, and, since it is not now practicable to cut the tie between court and league, I was willing to vote for adherence upon the protective condition which I have specified. When the other nations said, "We won't accept your condition" I thought to myself "Well, we have done our duty; if they don't want us on these terms, they will have to get along without us." When, after four years, I heard it said, "The other nations have accepted the Senate conditions," I was mildly astonished; because the Old World diplomats are not apt to yield. However, I studied carefully and with an open mind the complicated and obscure documents offered us as the equivalent of the clean-cut Senate provision, and when I had finished I said to myself, "There is a joker in every paragraph. This so-called equivalent fails to give us the protection upon which we insist. It is a subtle attempt to tie us up to the League of Nations through the court. It is once more the wooden horse—and I decline to be deceived."

I am aware that in saying this I differ from some of our ablest and most patriotic public men. To express disagreement with many of one's own friends is not an agreeable duty. This, however, is a subject upon

which I feel qualified to speak with the authority of long study and careful analysis, and when the safety of the United States is involved party ties and personal friendships must be ignored. I earnestly assert that if we are going to adhere to the World Court we must do so only upon the condition already dictated by the Senate, a condition which conforms to Washington's policy of peace and freedom, for by it we assert the gladness of the United States to cooperate in all honorable efforts to substitute peaceful settlements for the arbitrament of war, but proclaim our fixed determination to avoid those entanglements against which the Father of his Country so wisely warned us.

We are told that if we adhere to the court we may at any time withdraw our adherence and go home without being called quitters. This kind of an assurance has no value. Even if no such assurance is given the United States or any other party to a treaty might denounce it and withdraw at will. When you go to a theater or other place of public assembly, it is important to note the red lights and study the exits in order that you may make your way out safely in case of fire.

If the calamity happens, there is no division of opinion as to what ought to be done. Everybody wants to leave at once and successful escape is a perfect remedy for those who succeed in achieving it. In the case of international engagements, however, the thing that makes you want to withdraw is the same thing that makes the other parties want to keep you in. No matter how earnestly they assure you that in the event of disagreement you may go in peace you know perfectly well that when the time comes assurances of good will will be forgotten and the torrent of abuse that will be liberated against America for withdrawing from Europe will be comparable only to the flood of reproaches directed against us for not going over there sooner. The argument in favor of experimental unions appeals more strongly to the young and the irresponsible than to those who are older and more experienced. If we adhere to the World Court let it be wholeheartedly and upon such terms as will make it possible to continue our adherence. The time to look is before you leap and the time to reserve your rights is before you sign on the dotted line. Ask yourself, What would Washington have done when confronted with a demand for his signature? If you seriously put this question to yourself, the first thing that you will do is to write your Senator and urge him to support the Senate resolution and to accept no imported substitutes.

ORDER OF BUSINESS

Mr. PARKER. Mr. Speaker, I ask unanimous consent that to-morrow, after the Committee on Coinage, Weights, and Measures have completed their two bills, that we may go on with the consideration of this motor bus bill, H. R. 10288.

Mr. FISH. Reserving the right to object, if it was merely to permit the Committee on Coinage, Weights, and Measures to complete the bills they have for consideration I would not object, but if it is any attempt to dispense with Calendar Wednesday I would object.

Mr. PARKER. I did not mean to limit it to two bills for the Committee on Coinage, Weights, and Measures, but whatever business they have.

Mr. FISH. If you are going to get through early to-morrow, would it be in order, Mr. Speaker, for me to ask unanimous consent to speak for 5 or 10 minutes?

The SPEAKER. The Chair would recognize the gentleman for that purpose.

Mr. FISH. Then I will ask unanimous consent to address the House for 10 minutes after the Calendar Wednesday business is completed.

The SPEAKER. The gentleman from New York asks unanimous consent that after the Committee on Coinage, Weights, and Measures shall have disposed of their business to-morrow further business on Calendar Wednesday shall be dispensed with.

Mr. MAPES. Reserving the right to object, in looking over the record, my recollection is that the Committee on Coinage, Weights, and Measures has reported three bills.

Mr. RANKIN. Reserving the right to object, is that the only committee that would have the call to-morrow?

Mr. PARKER. The next committee would be the Committee on Interstate and Foreign Commerce.

Mr. FISH. I will ask my colleague from New York if he will yield to me to make a request?

Mr. STAFFORD. I think, Mr. Speaker, it might be well to have the matter clarified, that it is not the intention of the gentleman from New York [Mr. PARKER] to count to-morrow as one of the days that the Committee on Interstate and Foreign Commerce is entitled to.

Mr. PARKER. Oh, no; that was stated yesterday; that it should not be counted and that we want two full days.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. PARKER]?

There was no objection.

Mr. FISH. Now, Mr. Speaker, I renew the request that I may speak for 10 minutes to-morrow after the business of the Committee on Coinage, Weights, and Measures is disposed of.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. FISH]?

Mr. SCHAFER of Wisconsin. Reserving the right to object, on what subject?

Mr. FISH. On the proposed memorial meeting for General Foch, to be held on Thursday.

The SPEAKER. Is there objection?

There was no objection.

SENATE ENROLLED JOINT RESOLUTIONS SIGNED

The SPEAKER announced his signature to enrolled joint resolutions of the Senate of the following titles:

S. J. Res. 17. Joint resolution authorizing the Secretary of War to receive for instruction at the United States Military Academy at West Point, Bey Mario Arosemena, a citizen of Panama; and

S. J. Res. 30. Joint resolution authorizing the use of tribal moneys belonging to the Fort Berthold Indians of North Dakota for certain purposes.

BILL PRESENTED TO THE PRESIDENT

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H. R. 8423. An act granting the consent of Congress to the State of Minnesota, or any political subdivision thereof, to construct, maintain, and operate a bridge across the Mississippi River at or near Topeka, Minn.

ADJOURNMENT

Mr. PARKER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 11 minutes p. m.) the House adjourned until to-morrow, Wednesday, March 19, 1930, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Wednesday, March 19, 1930, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

(10 a. m.)

To authorize the sale of Government property acquired for a post-office site in Akron, Ohio (H. R. 3246).

To provide better facilities for the enforcement of the customs and immigration laws (H. R. 10416).

To authorize the Secretary of Commerce to purchase land and to construct buildings and facilities suitable for radio-research investigations (H. R. 10652).

COMMITTEE ON THE JUDICIARY

(10 a. m.)

Proposing an amendment to the Constitution of the United States (H. J. Res. 114, H. J. Res. 11, H. J. Res. 38).

Proposing an amendment to the eighteenth amendment of the Constitution (H. J. Res. 99).

Proposing an amendment to the Constitution of the United States providing for a referendum on the eighteenth amendment thereof (H. J. Res. 219).

Proposing an amendment to the eighteenth amendment of the Constitution of the United States (H. J. Res. 246).

COMMITTEE ON BANKING AND CURRENCY

(10.30 a. m.)

To consider branch, chain, and group banking as provided in House Resolution 141.

COMMITTEE ON APPROPRIATIONS

(10.30 a. m.)

Navy Department appropriation bill.

Legislative appropriation bill.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

371. A letter from the Acting Secretary of the Navy, transmitting draft of a bill to amend the act entitled "An act to authorize the construction and procurement of aircraft and aircraft equipment in the Navy and Marine Corps, and to adjust and define the status of the operating personnel in connection therewith," approved June 24, 1926, with reference to the number of enlisted pilots in the Navy; to the Committee on Naval Affairs.

372. A letter from the Comptroller General of the United States, transmitting second supplemental report of the claims transmitted to this office by the Secretary of the Navy covering

the property damage, death, or personal injury due to the explosion at the naval ammunition depot, Lake Denmark, N. J., July 10, 1926 (H. Doc. 231); to the Committee on Claims and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII.

Mr. FRENCH: Committee on Appropriations. H. J. Res. 264. A joint resolution making an appropriation to complete the restoration of the frigate *Constitution*; without amendment (Rept. No. 925). Referred to the Committee of the Whole House on the state of the Union.

Mr. SWING: Committee on the Public Lands. H. J. Res. 181. A joint resolution to amend a joint resolution entitled "Joint resolution giving to discharged soldiers, sailors, and marines a preferred right of homestead entry," approved February 14, 1920, as amended January 21, 1922; with amendment (Rept. No. 929).

Mr. HAUGEN: Committee on Agriculture. H. R. 9900. A bill to provide for the acceptance of a donation of land and the construction thereon of suitable buildings and appurtenances for the forest products laboratory, and for other purposes; without amendment (Rept. No. 930). Referred to the Committee of the Whole House on the state of the Union.

Mr. NOLAN: Committee on the Public Lands. H. R. 6981. A bill to promote the better protection and highest public use of the lands of the United States and adjacent lands and waters in northern Minnesota for the production of forest products, the development and extension of recreational uses, the preservation of wild life, and other purposes not inconsistent therewith; and to protect more effectively the streams and lakes dedicated to public use under the terms and spirit of clause 2 of the Webster-Ashburton treaty of 1842 between Great Britain and the United States; and looking toward the joint development of indispensable international recreational and economic assets; with amendment (Rept. No. 931). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII.

Mr. JOHNSON of Nebraska: Committee on Claims. H. R. 1029. A bill for the relief of Arthur D. Story, assignee of Jacob Story, and Harris H. Gilman, receiver for the Murray & Thurgurtha plant of the National Motors Corporation; without amendment (Rept. No. 926). Referred to the Committee of the Whole House.

Mr. GUYER: Committee on Claims. H. R. 1176. A bill for the relief of Catherine C. Schilling; without amendment (Rept. No. 927). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 1354. A bill for the relief of Arthur H. Teeple; without amendment (Rept. No. 928). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. COX: A bill (H. R. 10876) to provide for the purchase of a lot for the enlargement of the post-office building at Tifton, Ga.; to the Committee on Public Buildings and Grounds.

By Mr. CLARKE of New York: A bill (H. R. 10877) authorizing appropriations to be expended under the provisions of sections 4 to 14 of the act of March 1, 1911, entitled "An act to enable any State to cooperate with any other State or States or with the United States, for the protection of the watersheds of navigable streams and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of navigable rivers," as amended; to the Committee on Agriculture.

By Mr. HILL of Washington: A bill (H. R. 10878) fixing time for reimbursement of the United States for money advanced for acquisition of water rights for Indian lands within the Oroville-Tonasket irrigation district under act of May 18, 1916, and supplemental acts, and for other purposes; to the Committee on Irrigation and Reclamation.

By Mr. LEAVITT: A bill (H. R. 10879) directing the Secretary of the Interior to investigate reimbursable charges against Indian tribes, and for other purposes; to the Committee on Indian Affairs.

By Mr. SMITH of Idaho: A bill (H. R. 10880) authorizing the construction of the Michaud division of the Fort Hall Indian irrigation project, Idaho, an appropriation therefore,

and the completion of the project, and for other purposes; to the Committee on Indian Affairs.

By Mr. JENKINS: A bill (H. R. 10881) to amend section 24 of the immigration act of 1917, as amended; to the Committee on Immigration and Naturalization.

By Mr. CURRY: A bill (H. R. 10882) to provide for examination and survey of the Mormon Channel section of the San Joaquin River and Stockton Channel, Calif., project; to the Committee on Rivers and Harbors.

By Mr. JAMES (by request of the War Department): A bill (H. R. 10883) to authorize certain activities for the maintenance of the Army; to the Committee on Military Affairs.

Also (by request of the War Department), a bill (H. R. 10884) to authorize the acquisition of a right of way for sewer line in connection with the Fort Bragg Military Reservation, N. C.; to the Committee on Military Affairs.

By Mr. McLEOD: A bill (H. R. 10885) to provide a tax on the sale on margin of corporate securities; to the Committee on Ways and Means.

By Mr. STONE: A bill (H. R. 10886) an act to establish a Federal board of veterans' affairs to consolidate, coordinate, and provide for equalization and efficient management of all activities relating to the relief and other benefits provided by law for former members of the Military and Naval Establishments of the United States; to the Committee on Expenditures in the Executive Departments.

By Mr. HOUSTON of Delaware: A bill (H. R. 10887) authorizing the Delaware & New Jersey Bridge Corporation, a corporation of the State of Delaware, domiciled at Wilmington, Del., its successors and assigns, George A. Casey, of Wilmington, Del.; Clifford R. Powell, of Mount Holly, N. J.; and Anthony J. Siracusa, of Atlantic City, N. J., their heirs, executors, administrators, or assigns, to construct, maintain, and operate a bridge across the Delaware River at or near Wilmington, Del.; to the Committee on Interstate and Foreign Commerce.

By Mr. LEHLBACH: Joint resolution (H. J. Res. 272) construing section 7 of the merchant marine act, 1920; to the Committee on the Merchant Marine and Fisheries.

By Mr. HASTINGS: Joint resolution (H. J. Res. 273) to pay the judgment rendered by the United States Court of Claims to the Iowa Tribe of Indians, Oklahoma; to the Committee on Indian Affairs.

By Mr. GARNER: Resolution (H. Res. 188) authorizing the appointment of a special committee to investigate the Bureau of Internal Revenue of the Treasury Department; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARBOUR: A bill (H. R. 10888) for the relief of Margaret V. Pearson; to the Committee on Claims.

By Mr. BOHN: A bill (H. R. 10889) granting certain lands to the city of Sault Ste. Marie, State of Michigan; to the Committee on the Public Lands.

By Mr. BUCKBEE: A bill (H. R. 10890) granting an increase of pension to Carrie M. Backus; to the Committee on Invalid Pensions.

By Mr. CLAGUE: A bill (H. R. 10891) granting a pension to Mary C. Greene; to the Committee on Invalid Pensions.

By Mr. COCHRAN of Missouri: A bill (H. R. 10892) granting a pension to George Kohler; to the Committee on Pensions.

By Mr. CARTER of Wyoming: A bill (H. R. 10893) granting a pension to Kate V. Richards; to the Committee on Invalid Pensions.

By Mr. COYLE: A bill (H. R. 10894) granting an increase of pension to Isabella Young; to the Committee on Invalid Pensions.

By Mr. COX: A bill (H. R. 10895) for the relief of Tift County Exchange (Inc.); to the Committee on Claims.

Also, a bill (H. R. 10896) for the relief of John Rufus Turner; to the Committee on Military Affairs.

By Mr. CRAIL: A bill (H. R. 10897) granting a pension to Alvina Courtright; to the Committee on Invalid Pensions.

By Mr. CURRY: A bill (H. R. 10898) granting a pension to Earl G. Barnum; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10899) to authorize the Secretary of War to donate two bronze cannon to the city of Benicia, Calif.; to the Committee on Military Affairs.

By Mr. ELLIS: A bill (H. R. 10900) for the retirement of Charles W. Luthy; to the Committee on Military Affairs.

By Mr. ESLICK: A bill (H. R. 10901) granting a pension to Lula Insley; to the Committee on Invalid Pensions.

By Mr. EVANS of California: A bill (H. R. 10902) granting a pension to Fred E. Kunkel; to the Committee on Pensions.

By Mr. FINLEY: A bill (H. R. 10903) for the relief of Dillon A. Collett; to the Committee on Military Affairs.

By Mr. FITZGERALD: A bill (H. R. 10904) granting an increase of pension to Mary Ida Acton; to the Committee on Invalid Pensions.

By Mr. GREEN: A bill (H. R. 10905) granting a pension to Dena C. Mudge; to the Committee on Invalid Pensions.

By Mr. HILL of Washington: A bill (H. R. 10906) for the relief of Panhandle Lumber Co. (Ltd.), a corporation of the State of Idaho; to the Committee on Claims.

By Mr. HOLADAY: A bill (H. R. 10907) for the relief of Charles E. Dern; to the Committee on Military Affairs.

By Mr. HOPKINS: A bill (H. R. 10908) granting a pension to Elizabeth Bowen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10909) granting a pension to Sarah E. Reno; to the Committee on Invalid Pensions.

By Mr. HUDDLESTON: A bill (H. R. 10910) for the relief of the heirs of O. M. Dodgen, alias C. M. Dodgen; to the Committee on Claims.

By Mr. IRWIN: A bill (H. R. 10911) for the relief of George W. Steele, jr., captain, United States Navy; to the Committee on Claims.

By Mr. JENKINS: A bill (H. R. 10912) granting an increase of pension to Laura Hysell; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Oklahoma: A bill (H. R. 10913) for the relief of Andrew J. Murphy, otherwise known as Andrew or A. Johnson; to the Committee on Military Affairs.

By Mr. JOHNSTON of Missouri: A bill (H. R. 10914) granting a pension to William Newton; to the Committee on Invalid Pensions.

By Mr. KOPP: A bill (H. R. 10915) granting a pension to Jessie Cordelia McLane; to the Committee on Invalid Pensions.

By Mr. LANKFORD of Virginia: A bill (H. R. 10916) for the relief of the heirs of John W. Odend'hal, deceased; to the Committee on Naval Affairs.

Also, a bill (H. R. 10917) to reimburse W. H. L. Joynes; to the Committee on Claims.

By Mr. MANLOVE: A bill (H. R. 10918) granting an increase of pension to Willis P. McCampbell; to the Committee on Pensions.

By Mr. MARTIN: A bill (H. R. 10919) for the relief of certain officers and employees of the Foreign Service of the United States, and of Elise Steiniger, housekeeper for Consul R. A. Wallace Treat at the Smyrna consulate, who, while in the course of their respective duties, suffered losses of Government funds and/or personal property by reason of theft, warlike conditions, catastrophes of nature, shipwreck, or other causes; to the Committee on Foreign Affairs.

By Mr. MORGAN: A bill (H. R. 10920) granting a pension to Selvanis B. Cork; to the Committee on Invalid Pensions.

By Mr. MURPHY: A bill (H. R. 10921) granting an increase of pension to Lydia Nickerson; to the Committee on Invalid Pensions.

By Mr. O'CONNOR of Oklahoma: A bill (H. R. 10922) granting a pension to Ralph Smith; to the Committee on Pensions.

By Mr. REECE: A bill (H. R. 10923) granting a pension to Mary A. Green; to the Committee on Pensions.

By Mr. STRONG of Kansas: A bill (H. R. 10924) for the relief of Roland Baldwin Estep; to the Committee on Naval Affairs.

By Mr. SWICK: A bill (H. R. 10925) granting an increase of pension to Margaret A. Bauder; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10926) granting an increase of pension to Nancy J. Critchlow; to the Committee on Invalid Pensions.

By Mr. TILSON: A bill (H. R. 10927) granting an increase of pension to Elizabeth M. Olson; to the Committee on Pensions.

By Mr. WHITEHEAD: A bill (H. R. 10928) to confer authority on the Commissioner of Pensions to permit W. C. Jamison to file his application for retirement annuity and to authorize and empower the Commissioner of Pensions to hear and determine the same; to the Committee on the Civil Service.

By Mr. WOOD: A bill (H. R. 10929) granting a pension to Emma Berryman; to the Committee on Invalid Pensions.

By Mr. ADKINS: A bill (H. R. 10930) granting an increase of pension to Charlotte C. Hay; to the Committee on Invalid Pensions.

By Mr. MORGAN: Resolution (H. Res. 187) to pay Amanda A. Richmond, widow of James E. Richmond, six months' compensation and an additional \$250 to defray funeral expenses and last illness of said James E. Richmond; to the Committee on Accounts.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5776. By Mr. ADKINS: Petition of citizens of Fisher, Ill., petitioning Congress to secure early and favorable consideration of House bill 2562, providing for increased rates of pension to the men who served in the armed forces of the United States during the Spanish War; to the Committee on Pensions.

5777. By Mr. BACHMANN: Petition of Thomas H. Parsons and other citizens of Proctor, Wetzel County, W. Va., urging immediate action on Senate bill 476 and House bill 2562, providing for increased rates of pension to veterans of the Spanish-American War; to the Committee on Pensions.

5778. By Mr. BARBOUR: Petition of residents of the seventh congressional district of California, urging enactment of House bill 2562, which would increase the pensions of Spanish War veterans; to the Committee on Pensions.

5779. By Mr. BEEDY: Petition of citizens of Maine, urging increased rates of pensions for Spanish-American War veterans; to the Committee on Pensions.

5780. By Mr. BEERS: Petition from citizens of Lewisburg, Pa., favoring the passage of Senate bill 476 and House bill 2562; to the Committee on Pensions.

5781. By Mr. BECK: Petition of E. J. Shields and 86 other citizens of Philadelphia and vicinity, for consideration of House bill 2562, providing increased rates of pension for veterans of the Spanish War; to the Committee on Pensions.

5782. By Mr. BLACKBURN: Petition of the Women's Auxiliary of the Maxwell Presbyterian Church, at Lexington, Ky., praying for the enactment of legislation providing for Federal supervision of motion pictures; to the Committee on Interstate and Foreign Commerce.

5783. Also, resolution of the members of the executive board of the Kentucky Library Association, opposing the enactment of House bill 2667, prohibiting the importation of certain reading matter into the United States from foreign countries; to the Committee on Interstate and Foreign Commerce.

5784. By Mr. BLOOM: Petition of Visigraphic Pictures (Inc.), producers and distributors of advertising motion pictures, protesting against the Hudson bill (H. R. 9986) to appoint a Federal motion picture commission with wide powers and which they feel would practically paralyze the motion-picture industry; to the Committee on Interstate and Foreign Commerce.

5785. By Mr. CARLEY: Petition by citizens of Brooklyn, N. Y., indorsing legislation for increase of pensions for veterans of the war with Spain; to the Committee on Pensions.

5786. By Mr. CARTER of California: Petition of the city council of the city of Alameda, Calif., memorializing the Congress of the United States to enact into law House Joint Resolution 167, directing the President of the United States to proclaim October 11 of each year as General Pulaski's memorial day; to the Committee on the Judiciary.

5787. By Mr. CARTER of Wyoming: Petition of citizens of Sheridan, Wyo., asking that the pensions of the Civil War veterans and widows of veterans be increased; to the Committee on Invalid Pensions.

5788. By Mr. CRAIL: Petition of many citizens of Los Angeles County, Calif., favoring increased pensions for Spanish War veterans; to the Committee on Pensions.

5789. By Mr. CRAMTON: Petition of Flint River Grange, No. 656, of Lapeer County, Mich., in favor of the export debenture amendment to the pending tariff bill; to the Committee on Ways and Means.

5790. Also, petition of Columbia and Almer Grange, Tuscola County, Mich., in favor of the export debenture amendment to the pending tariff bill; to the Committee on Ways and Means.

5791. By Mr. CULLEN: Petition of the Midwest States Air Parley, indorsing the principle of the Federal road act applied to the establishment of a national system of airways, and recommend to Congress the passage of such Federal enabling act; to the Committee on the Post Office and Post Roads.

5792. Also, petition of Midwest States Air Parley, indorsing House bill 9500, known as the Watres bill, providing for the change of payment for carrying air mail from the poundage basis to a basis of rental of definite spaces, as the railroads are now paid, per mile; to the Committee on the Post Office and Post Roads.

5793. By Mr. DEMPSEY: Petition signed by 25 residents of Buffalo, N. Y., urging speedy consideration and passage of House bill 2562 and Senate bill 476; to the Committee on Pensions.

5794. By Mr. DENISON: Petition of various citizens of Marion, Williamson County, Ill., urging speedy consideration and passage of Senate bill 476 and House bill 2562; to the Committee on Pensions.

5795. Also, petition of certain citizens of Johnston City, Ill., urging speedy consideration and passage of Senate bill 476 and House bill 2562; to the Committee on Pensions.

5796. Also, petition of various citizens of Williamson County, Ill., urging speedy consideration and passage of Senate bill 476 and House bill 2562; to the Committee on Pensions.

5797. Also, petition of the village board of St. Johns, urging the passage of Senate bill 476 and House bill 2562; to the Committee on Pensions.

5798. Also, petition signed by citizens of West Frankfort, Ill., urging speedy consideration and passage of Senate bill 476 and House bill 2562; to the Committee on Pensions.

5799. By Mr. ESTEP: Petition supporting Senate bill 476 and House bill 2562, sent by D. G. McCafferty and other citizens of Allegheny County, Pittsburgh, Pa.; to the Committee on Pensions.

5800. By Mr. FENN: Resolutions of the West Hartford League of Women Voters, West Hartford, Conn., favoring the so-called Jones-Cooper bill for maternity and child hygiene work, and opposing House bill 9888; to the Committee on Interstate and Foreign Commerce.

5801. By Mr. FITZGERALD: Petition of 5,700 members of the Fraternal Order of Eagles, favoring old-age pensions; to the Committee on Labor.

5802. Also, petition of 42 citizens of Dayton, Ohio, praying for early consideration and passage of a bill to increase the pensions of Spanish War veterans; to the Committee on the Judiciary.

5803. By Mr. FITZPATRICK: Petition of the National Association of Letter Carriers, Branch 387, Yonkers, N. Y., urging the speedy passage of House bill 6603, providing for a short workday on Saturdays for postal employees; to the Committee on the Post Office and Post Roads.

5804. By Mr. FOSS: Petition of George Lamoureux and 85 other residents of Spencer, Mass., urging passage of Senate bill 476 and House bill 2562, providing for increased rates of pension for veterans of the Spanish War; to the Committee on Pensions.

5805. By Mr. GLOVER: Petition of citizens of Redfield, Ark., urging the passage of House bill 2562, granting an increase of pension to Spanish-American War veterans; to the Committee on Pensions.

5806. By Mr. GREENWOOD: Petition of W. H. Hensley and others, of Morgan County, Ind., urging the passage of House bill 2562, granting an increase of pensions to Spanish-American War veterans; to the Committee on Pensions.

5807. By Mr. HESS: Petition of citizens of Lockland and Mount Healthy, Ohio, urging the passage of House bill 10, creating a department of education; to the Committee on Education.

5808. By Mr. HICKEY: Petition of Marion Esarey and other citizens of St. Joseph County, Ind., urging the early passage of a bill increasing the pensions of Spanish War veterans; to the Committee on Pensions.

5809. By Mr. HILL of Washington: Petition of J. F. True and 51 other residents of Spokane, Wash., asking for speedy consideration and passage of Senate bill 476 and House bill 2562, providing for increase of pension rates to Spanish War veterans; to the Committee on Pensions.

5810. Also, petition of George F. Vath and 16 other citizens of Valley, Wash., asking for prompt consideration and passage of House bill 2562; to the Committee on Pensions.

5811. By Mr. HOOPER: Petition of Jennie M. Wilkins and 214 other residents of Branch County, Mich., against manufacturing, selling, or using malt; to the Committee on the Judiciary.

5812. By Mr. JAMES: Petition of citizens of Nicula, Houghton County, Mich., petitioning for increased rates of pension to the men who served in the armed forces of the United States during the Spanish War; to the Committee on Pensions.

5813. By Mr. JOHNSON of South Dakota: Resolution of board of commissioners of Aberdeen, S. Dak., memorializing Congress to enact legislation for the proper commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

5814. By Mr. KEARNS: Petition of citizens of Bethel, Clermont County, Ohio, in support of the bill to increase the rates of pension of Civil War soldiers and their dependents; to the Committee on Invalid Pensions.

5815. Also, petition of 56 residents of Aberdeen, Brown County, Ohio, in support of the bill to increase the rates of pension of Spanish War soldiers; to the Committee on Pensions.

5816. Also, petition of 22 residents of Goshen, Clermont County, sixth congressional district of Ohio, urging enactment of House bill 2562, providing for increased rates of pension for Spanish War veterans; to the Committee on Pensions.

5817. Also, petition of 66 residents of McDermott, Scioto County, Ohio, requesting an early consideration of House bill 2562, a bill to increase the rates of pension for Spanish War soldiers; to the Committee on Pensions.

5818. By Mr. KELLY: Petition of citizens of Turtle Creek, Pa., asking for quota-immigration restrictions on Mexico; to the Committee on Immigration and Naturalization.

5819. By Mr. KENDALL of Pennsylvania: Petition of certain citizens of Connellsville, Pa., asking that favorable consideration be given to House bill 2562 and Senate bill 476, providing for increased pensions for Spanish-American War veterans; to the Committee on Pensions.

5820. By Mr. LANKFORD of Virginia: Petition of Mrs. Arthur Depue and others, indorsing the bill for exemption of dogs from vivisection in the District of Columbia or in any of the Territorial or insular possessions of the United States, as proposed by the International Conference for the Investigation of Vivisection; to the Committee on the District of Columbia.

5821. By Mr. LINDSAY: Petition of the Maritime Association of the Port of New York, New York City, expressing disapproval of Senate bill 306, entitled "A bill to amend certain laws relating to American seamen"; to the Committee on the Merchant Marine and Fisheries.

5822. By Mr. LOZIER: Petition of numerous citizens of Randolph and Chariton Counties, Mo., urging the enactment of Senate bill 476 and House bill 2562; to the Committee on Pensions.

5823. By Mr. McKEOWN: Petition of H. D. Hewlett, of 24 West Main Street, Shawnee, Okla., and other members of Shawnee Lodge, No. 25, Independent Order of Odd Fellows, Shawnee, Okla., urging immediate action on House bill 2562, a bill providing increased rates of pension for veterans of the Spanish War period; to the Committee on Pensions.

5824. By Mr. McREYNOLDS: Petition of 67 voters of Polk County, Tenn., urging immediate consideration of House bill 2562 and Senate bill 476, providing for increased rates of pension to the men who served in the armed forces of the United States during the Spanish-American War; to the Committee on Pensions.

5825. By Mr. MAAS: Resolution by the city council, St. Paul, Minn., the capital city of Minnesota, recognizing the debt we owe to the splendid service of Indian war veterans who fought for home and country, and asking that unanimous approval be given to the Manlove bill, which seeks to do justice to the few remaining survivors of these frontier struggles and urging the Minnesota Representatives in Congress to support this measure; to the Committee on Pensions.

5826. By Mr. MANLOVE: Petition of Henry R. Carlson and other citizens of Monett, Mo., urging early passage of legislation increasing the pensions of Spanish War veterans; to the Committee on Pensions.

5827. By Mr. MILLER: Petitions of citizens of Seattle, Wash., and vicinity, indorsing legislation prohibiting vivisection experiments, especially on dogs, in the District of Columbia; to the Committee on the District of Columbia.

5828. By Mr. MURPHY: Petition signed by Mr. J. H. McElroy and 72 other citizens of Carrollton, Carroll County, Ohio, relative to Senate bill 476 and House bill 2562, providing increased rates of pension to Spanish War veterans; to the Committee on Pensions.

5829. By Mr. O'CONNELL of New York: Petition of the National Bridge Works, Long Island City, N. Y., favoring the passage of the Capper-Kelly bill (H. R. 11); to the Committee on Interstate and Foreign Commerce.

5830. Also, petition of the United Retail Grocers' Association, of Brooklyn, N. Y., favoring the passage of House bill 11, the price maintenance bill; to the Committee on Interstate and Foreign Commerce.

5831. By Mr. O'CONNOR of Oklahoma: Petition from Mr. Gustavus E. W. Cox and 59 other citizens of Keystone, Okla., urging early and favorable consideration of the measure providing for increases in the Spanish-American War veterans' pensions; to the Committee on Pensions.

5832. By Mr. PARKS. Petition of citizens of Stephens, Ark., urging the passage of House bill 2562, granting an increase of pensions to Spanish-American War veterans; to the Committee on Pensions.

5833. By Mr. HARCOURT J. PRATT: Petition of Harry J. Gilbert, D. L. Stewart, G. A. Plass, T. I. Hewlett, V. E. Andrus, Burdette Dyer, John F. Hungaboom, and other residents of Jefferson, Schoharie County, N. Y., praying for passage of legislation to increase the pensions of Spanish War veterans; to the Committee on Pensions.

5834. By Mr. FRANK M. RAMEY: Petition of John T. Bruns and 61 other residents of Pana, Ill., urging passage of Senate bill 476 and House bill 2562, providing for increased rates of pension for Spanish-American War veterans; to the Committee on Pensions.

5835. By Mr. SMITH of West Virginia: Resolution of the Woman's Christian Temperance Union of Charleston, W. Va., urging Congress to enact a law providing for Federal supervision of motion pictures; to the Committee on Interstate and Foreign Commerce.

5836. Also, resolution of the Woman's Christian Temperance Union of South Charleston, W. Va., urging Congress to enact a law providing for Federal supervision of motion pictures; to the Committee on Interstate and Foreign Commerce.

5837. By Mr. SNELL: Petition of citizens and residents of the thirty-first congressional district of New York, protesting against the United States entering the World Court; to the Committee on Foreign Affairs.

5838. By Mr. SPEAKS: Petition signed by 31 citizens of Columbus, Ohio, urging passage of House bill 2562, proposing increased pension allowances for Spanish War veterans; to the Committee on Pensions.

5839. By Mr. STRONG of Pennsylvania: Petition of citizens of Indiana County, Pa., in favor of increased rates of pension for veterans of the war with Spain; to the Committee on Pensions.

5840. By Mr. SWICK: Petition of the mayor and city council of New Castle, Lawrence County, Pa., urging the enactment of House Joint Resolution 167, directing the President of the United States to proclaim October 11 of each year as General Pulaski's memorial day, for observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

5841. Also, petition of Hadassah Chapter, New Castle, Pa., Mrs. Louis F. Kohn, president; Mrs. Harold E. Abkowitz, secretary, opposing any change in the calendar which in any way endangers the fixity of the Sabbath, and the participation of the United States in any international conference for such purpose unless the delegates thereto are instructed to oppose such change; to the Committee on Foreign Affairs.

5842. By Mr. WHITEHEAD: Petition of W. G. Shackelford and others, of Henry County, Va., urging the enactment of House bill 2562, for increase of pensions to Spanish-American War veterans; to the Committee on Pensions.

5843. By Mr. WHITTINGTON: Petition of Martin G. McCraill and 70 other citizens, to pass House bill 2562 and Senate bill 476, to increase rates of pension to Spanish-American War veterans; to the Committee on Pensions.

5844. By Mr. WILLIAMSON: Petition of L. C. Valle and 30 other residents of Hot Springs, S. Dak., for the passage of legislation on behalf of Spanish-American War veterans; to the Committee on Pensions.

SENATE

WEDNESDAY, March 19, 1930

(Legislative day of Monday, January 6, 1930)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

The VICE PRESIDENT. The Senate resumes the consideration of the unfinished business.

REVISION OF THE TARIFF

The Senate resumed consideration of the bill (H. R. 2667) to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, to protect American labor, and for other purposes.

Mr. SMOOT. Mr. President, I ask unanimous consent that the Senate reconsider the vote taken last night by which the amendment to section 305 was concurred in, and I move that subparagraph (b) of the amendment adopted in Committee of the Whole be amended by substituting therefor the matter which I send to the desk.

Mr. MOSES. Let it be reported.

The VICE PRESIDENT. The Chair is advised that this is to correct a parliamentary situation. Without objection, the vote whereby the amendment made as in Committee of the Whole was concurred in will be reconsidered. The provision now submitted by the Senator from Utah will be reported.

The LEGISLATIVE CLERK. It is proposed to amend the amendment made as in Committee of the Whole by substituting therefor the following:

(b) Penalty on Government officers: Any officer, agent, or employee of the Government of the United States who shall knowingly

aid or abet any person engaged in any violation of any of the provisions of law prohibiting importing, advertising, dealing in, exhibiting, or sending or receiving by mail obscene or indecent publications or representations, or books, pamphlets, papers, writings, advertisements, circulars, prints, pictures, or drawings containing any matter advocating or urging treason, or insurrection against the United States, or forcible resistance to any law of the United States, or containing any threat to take the life of or inflict bodily harm upon any person in the United States, or means for preventing conception or procuring abortion, or other articles of indecent or immoral use or tendency, shall be deemed guilty of a misdemeanor, and shall for every offense be punishable by a fine of not more than \$5,000, or by imprisonment at hard labor for not more than 10 years, or both."

The VICE PRESIDENT. Without objection, the amendment to the amendment is agreed to. Without objection, the amendment as amended is concurred in.

CALL OF THE ROLL

Mr. FESS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	George	Keyes	Shortridge
Ashurst	Glass	La Follette	Simmons
Baird	Glenn	McCulloch	Smoot
Barkley	Goff	McKellar	Steck
Bingham	Goldsborough	McMaster	Steuwer
Black	Gould	McNary	Stephens
Blaire	Greene	Metcalf	Sullivan
Blease	Grundy	Moses	Swanson
Borah	Hale	Norris	Thomas, Idaho
Bratton	Harris	Nye	Thomas, Okla.
Broussard	Harrison	Oddie	Townsend
Capper	Hatfield	Overman	Trammell
Caraway	Hawes	Patterson	Tydings
Connally	Hayden	Phipps	Vandenberg
Copeland	Hebert	Pine	Wagner
Couzens	Heflin	Pittman	Walsh, Mass.
Cutting	Howell	Ransdell	Walsh, Mont.
Dale	Johnson	Robinson, Ind.	Waterman
Dill	Jones	Robison, Ky.	Watson
Fess	Kean	Schall	Wheeler
Frazier	Kendrick	Sheppard	

Mr. SHEPPARD. The junior Senator from Utah [Mr. KING] is necessarily detained from the Senate by illness. I will let this announcement stand for the day.

I also desire to announce the necessary absence of the Senator from Arkansas [Mr. ROBINSON] and the Senator from Pennsylvania [Mr. REED], who are delegates from the United States to the London Naval Conference.

Mr. SCHALL. My colleague [Mr. SHIPSTEAD] is unavoidably absent. I ask that this announcement may stand for the day.

Mr. McKELLAR. I wish to announce that my colleague the junior Senator from Tennessee [Mr. BROCK] is necessarily detained from the Senate by illness. I ask that this announcement may stand for the day.

The VICE PRESIDENT. Eighty-three Senators have answered to their names. A quorum is present.

EXPLANATION AND CORRECTION

Mr. BLEASE. Mr. President, I notice in this morning's RECORD, on page 5479, that the nomination of James A. Cobb to be judge of the municipal court of the District of Columbia was reported at the desk, and then the President pro tempore said:

Without objection, the nomination is confirmed.

On the same page, at the top of the second column, appear my remarks objecting to this nomination.

I also wish to send to the desk a telegram from Professor Morse, of the University of South Carolina, in reference to a quotation from him made yesterday by the Senator from Montana [Mr. WHEELER], as found on page 5504 of yesterday's RECORD. I ask that the telegram may be read.

The VICE PRESIDENT. Without objection, the clerk will read, as requested.

The Chief Clerk read as follows:

COLUMBIA, S. C., March 18, 1930.

Senator COLE. L. BLEASE,

United States Senate, Washington, D. C.:

My position evidently misinterpreted. Do not approve unrestricted censorship by unqualified persons, but am as strongly opposed as anyone to importation and distribution of obscene books.

JOSIAH MORSE.

WASHINGTON AIRPORT—RETRACTION OF H. E. YOUNG'S CHARGES

Mr. VANDENBERG. Mr. President, I desire to make this immediate, informal report to the Senate respecting certain charges which were publicly made in the city of Washington last Saturday night, and which, if true, would have impugned the integrity of pending airport legislation and Senators connected with it.